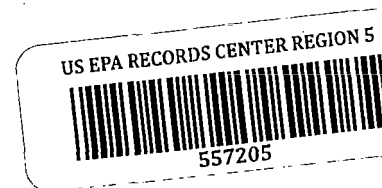


PIG'S EYE LANDFILL  
RECORDS COMPILATIONS  
CITY OF ST. PAUL - PORT AUTHORITY



DCN	DATE	AUTHOR	RECIPIENT	TITLE	SUMMARY	PRPS
00016	10/07/59	STATE OF MINNESOTA (GRANTOR)	PORTAU, GRANTEE	INDENTURE BETWEEN MINNESOTA AND PORTAU	AN INDENTURE BETWEEN THE STATE OF MINNESOTA AND PORTAU. THE DOCUMENT CONVEYS TAX FORFEITED LANDS IN INDUSTRIAL DEVELOPMENT DISTRICTS TO PORTAU AND ITS SUCESSORS FOREVER. THE DOCUMENT PROVIDES THE EXACT LEGAL DESCRIPTIONS OF THE PARCELS CONVEYED.	PORTAU
00092	09/11/62	CLYDE A. TESTER, SUPT. OF SANITATION, PORTAU	MILTON ROSEN, COMM. OF PUBLIC WORKS, PORTAU	LETTER REGARDING PORTAU'S PROPERTY	TWO LETTERS, A LETTER DATED 09/11/62 DISCUSSES THE COMMISSIONER OF PORTAU WAS CONCERNED ABOUT TWO PARCELS OF LAND WHICH PORTAU OWNS. A LETTER DATED 08/30/62 DISCUSSES AN AGREEMENT WITH THE CITY FOR A PARCEL OF LAND OWNED BY THE PORTAU TO BE USED AS A DUMP, AND PROVIDES A LEGAL DESCRIPTION OF THE AREA.	COSTPA, PORTAU
00245	03/04/65	FRANCIS D. HAGEN, P.E., PORTAU	EUGENE AVERY, DPWCSP	PORTAU LETTER REGARDING STATE STREET DUMP	A LETTER WHICH STATES PORTAU HAS A CONTRACT IN PROGRESS WHICH INVOLVES THE EXCAVATION AND REMOVAL OF "THE OLD STATE STREET DUMP" AND LOCATED ON THE AREA ARE TWO BASEBALL BACKDROPS AND A DPWCSP MAINTENANCE STATION. THE STATES THE FACILITIES MENTIONED WILL BE READY FOR REMOVAL 03/12/65 AND REQUESTS THE FACILITIES TO BE RELOCATED SO AS NOT TO DELAY PORTAU.	PORTAU
00289	11/22/66	KENT SCHONBERGER, MAINTENANCE ENGINEER		DPWCSP/COSTPA INTEROFFICE COMMUNICATION	A SUMMARY REPORT OF A MEETING BETWEEN PORTAU AND DPWCSP INQUIRING ABOUT AN AGREEMENT TO EXPAND PIG'S EYE. THE DOCUMENT STATES PORTAU AGREED TO LEASE ADDITIONAL AREA TO	PORTAU, COSTPA

PIG'S EYE LANDFILL  
RECORDS COMPILATIONS  
CITY OF ST. PAUL - PORT AUTHORITY

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02/24/95

DCN	DATE	AUTHOR	RECIPIENT	TITLE	SUMMARY	PRPS
					COSTPA; AND IS CHECKING TO SEE WHETHER SANITARY DISTRICT FLY ASH CAN BE MIXED WITH THE FILL.	
00321	02/16/67	FRANCIS D. HAGEN, CHIEF ENGINEER	LEASES AND CONTRACT COMMITTEE	PORTAU MEMORANDUM AND AGREEMENT	PORTAU MEMO WHICH STATES A PROPOSED AGREEMENT BETWEEN PORTAU; COSTPA IS ATTACHED TO BE SIGNED. THE AGREEMENT IS DATED 02/21/61 IN WHICH PORTAU PERMITS COSTPA TO USE THEIR LAND (LEGAL DESCRIPTION IS PROVIDED) FOR AN ALL PURPOSE DUMP; THE AGREEMENTS LISTS 6 CONDITIONS WHICH COSTPA MUST FOLLOW, AND A MAP OF THE AREA IS ALSO ATTACHED.	PORTAU, COSTPA
00327	02/21/67	PORTAU	COSTPA	AGREEMENT BETWEEN PORTAU AND COSTPA	A COPY OF THE 02/21/67 AGREEMENT BETWEEN PORTAU AND COSTPA, A LETTER DATED 09/30/74 IN WHICH COSTPA STATES IT HAS DISCONTINUED USING PIG'S EYE AND IS GIVING 60 DAYS NOTICE TO TERMINATE THE 02/21/67 AGREEMENT; A COVERLETTER DATED 03/10/67, WHICH STATES A COPY OF THE AGREEMENT IS ATTACHED; AND A COPY OF A RESOLUTION WHICH STATES THAT PORTAU ALLOWS COSTPA TO USE CERTAIN PORTIONS OF THEIR PROPERTY FOR REFUSE DISPOSAL.	PORTAU, COSTPA
00333	03/21/67	COSTPA		COSTPA COUNCIL RESOLUTION	A COSTPA COUNCIL RESOLUTION WHICH STATES CITY OFFICERS AUTHORIZE AND ENTER AN AGREEMENT WITH PORTAU TO USE PARTS OF PIG'S EYE AREA FOR SANITARY LANDFILL OPERATIONS.	PORTAU, COSTPA

PIG'S EYE LANDFILL  
RECORDS COMPILATIONS  
CITY OF ST. PAUL - PORT AUTHORITY

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02/24/95

DCN	DATE	AUTHOR	RECIPIENT	TITLE	SUMMARY	PRPS
00405	02/21/67	PORTAU (PERMITOR)	COSTPA (PERMITEE)	LICENSE AGREEMENT BETWEEN PORTAU AND COSTPA	A LICENSE AGREEMENT DATED 02/21/67 IN WHICH PORTAU GRANTS COSTPA LICENSE TO ENTER ON PORTAU'S PROPERTY TO USE FOR AN ALL PURPOSES DUMP, AND LIST SIX CONDITIONS.	COSTPA, PORTAU
00409	04/06/68			LAND DISPOSAL INVESTIGATION REPORT	A LAND DISPOSAL INVESTIGATION REPORT ABOUT PIGS EYE. THE DOCUMENT STATES WHAT MATERIAL IS ACCEPTED AT DISPOSAL SITES; EQUIPMENT AVAILABLE; AND 160 ACRES ARE OWNED BY PORTAU AND 500 BY CMSPRC.	CMSPRC, PORTAU
00523	11/09/70				THE SECOND PAGE OF A MEMO, STATING PIG'S EYE DATE WAS EXTENDED TO 07/01/72; A 1971 "MATERIALS DELIVERED TO PIG'S EYE" CHART; A PAGE OF INFORMATION STATING THE HOURS OF PIG'S EYE; A LIST OF LANDFILL FIELD PERSONNEL IN 1969; AND A MEMO DATED 10/29/74 STATING IN 1972 PORTAU WOULD ASSUME THE OBLIGATIONS OF COMPLETING THE COVERING OF PIG'S EYE.	PORTAU
00550	09/30/70	JEROME J. SEGAL, COSTPA, LEGAL DEPT.	ROBERT SPRAKFA, DPWCSP	LEGAL DOCUMENT REGARDING COSTPA, CMSPRC, AND PORTAU	A LETTER AND A NOTICE OF MOTION. THE LETTER STATES COSTPA HAS BEEN SERVED WITH A LAWSUIT REGARDING COMPLIANCE WITH MPCA REGULATIONS PERTAINING TO LANDFILL PROGRAMS AND ADEQUATE WASTE DISPOSAL SYSTEM. THE LISTS MPCA'S PLEADINGS AGAINST COSTPA, CMSPRC, AND PORTAU. THE DOCUMENT ALSO INCLUDES: A SUMMONS, COMPLAINT, MOTION FOR TEMPORARY	COSTPA, PORTAU, CMSPRC, DPWCSP

PIG'S EYE LANDFILL  
RECORDS COMPILATIONS  
CITY OF ST. PAUL - PORT AUTHORITY

Page No. 4  
02/24/95

DCN	DATE	AUTHOR	RECIPIENT	TITLE	SUMMARY	PRPS
					INJUNCTION AND ORDER COMPEL PERFORMANCE; AN AFFIDAVIT; ALL OF WHICH MPCA VS. COSTPA, CMSPRC AND PORTAU.	
00767	07/31/72	FRANK D. MARZITELLI, PORTAU	LAWRENCE D. COHEN, COSTPA, MAYOR	LETTER REGARDING TERMINATION OF AN 02/21/67 AGREEMENT	THE LETTER DISCUSSES AN AGREEMENT BETWEEN PORTAU AND COSTPA DATED 02/21/67 IN WHICH PORTAU LEASED PROPERTY TO COSTPA TO OPERATE A LANDFILL. THE LETTER STATES COSTPA HAS CEASED USING THAT PROPERTY THEREFORE PORTAU PROPOSES TERMINATING THE AGREEMENT. THE LETTER ALSO STATES PORTAU WILL PROCEED TO SUPPLY AND PLACE ADDITIONAL COVERING ON THE PROPERTY AS NECESSARY WHEN CONSTRUCTION OF A COAL WHARF TERMINAL FACILITY COMMENCES.	COSTPA, PORTAU
00768	07/31/72	FRANK D. MARZITELLI, PORTAU	LAWRENCE D. COHEN, COSTPA, MAYOR	DOCUMENTS REGARDING TERMINATION OF AGREEMENT BETWEEN COSTPA AND PORTAU	A NOTIFICATION OF TERMINATION WHICH STATES PORTAU IS NOTIFYING COSTPA THE AGREEMENT DATED 02/21/67 IS TERMINATED AS OF 10/01/72; A COPYING OF THE 02/21/67 LICENSE AGREEMENT BETWEEN PORTAU AND COSTPA; A MAPS OF THE AREA LEASED BY PORTAU TO COSTPA; A COUNCIL RESOLUTION DATED 03/02/67 WHICH AUTHORIZEDS THE LICENSE AGREEMENT DATED 02/21/67; AND A ROUGH DRAFT OF THE NOTICE OF TERMINATION.	COSTPA, PORTAU
00793	08/08/72	LAWRENCE D. COHEN, COSTPA	FRANK D. MARITELLI, PORTAU	LETTER REGARDING NOTICE OF TERMINATION OF PIG'S EYE AREA	A LETTER WHICH STATES THAT COSTPA HEREBY WAIVES THE TIME PROVISIONS WITH RESPECT TO NOTICE AND REQUESTS THAT PORTAU AUTHORITY IMPLEMENT THE	COSTPA, PORTAU

PIG'S EYE LANDFILL  
RECORDS COMPILATIONS  
CITY OF ST. PAUL - PORT AUTHORITY

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02/24/95

DCN	DATE	AUTHOR	RECIPIENT	TITLE	SUMMARY	PRPS
					TERMINATION OF THE LICENSE AGREEMENT DATED 02/21/67. THE DOCUMENT STATES IT IS THE COSTPA'S UNDERSTANDING THAT TERMINATION WILL RESULT IN THE PORTAU'S ASSUMING THE RESPONSIBILITY TO SUPPLY AND PLACE ADDITIONAL COVERING MATERIALS DEEMED NECESSARY BY THE STATE LAW OR THE REGULATIONS OF DNR.	
00922	09/30/74	LAURENCE D. COHEN, COSTPA	ROBERT F. SPRAFKA, PORTAU	LETTER TERMINATING AGREEMENT WITH PORTAU	A LETTER WHICH STATES COSTPA HAS DISCONTINUED PIG'S EYE AND FISH HATCHERY LANDFILLS AND THE LETTER SERVES THE PURPOSE TO NOTIFY PORTAU COSTPA IS TERMINATING THE 02/21/67 AGREEMENT.	COSTPA, PORTAU
00993	06/10/77	RICHARD J. DOUGHERTY, MWCC	ROBERT SPRAFKA, PORTAU	LETTER REGARDING DISPOSAL OF ASH MATERIAL	A LETTER WHICH STATES MWCC HAS APPROX. 150,00 CUBIC YDS. OF ASH MATERIAL AT THE MWT WHICH MUST BE DISPOSED OF IN THE NEAR FUTURE. THE COMMISSION IS REQUESTING PERMISSION FROM PORTAU TO UTILIZE "OLD ST. PAUL LANDFILL" FOR THIS PURPOSE.	PORTAU, MWCC
00995	06/21/77	CLIFFORD E. RAMSTED, PORTAU	BOARD OF COMMISSIONERS	PORTAU MEMO	A MEMO WHICH STATES MWCC HAS FORMALLY REQUESTED PERMISSION OF THE PORTAU TO DISPOSE APPROX. 150,000 CUBIC YARDS OF ASH AS COVER MATERIAL OVER 35 ACRES OF THE PIG'S EYE AREA. THE MEMO STATES APPROX. 10 ACRES BY CMSPRC. THE DOCUMENT STATES PERMITTING THE USE OF THE LANDFILL TO DEPOSIT THE ASH WOULD BE THE MOST ECONOMICAL FOR MWCC AND PROVIDE NEEDED COVER MATERIAL FOR THE SITE, WHICH PORTAU IS RESPONSIBLE FOR.	PORTAU, MWCC, CMSPRC

PIG'S EYE LANDFILL  
RECORDS COMPILATIONS  
CITY OF ST. PAUL - PORT AUTHORITY

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DCN	DATE	AUTHOR	RECIPIENT	TITLE	SUMMARY	PRPS
00996	06/24/77	CLIFFORD E. RAMSTED, PORTAU	E.J. JORDAN, CMSPRC	LETTER REGARDING ASH DISPOSAL PIG'S EYE	A COVERLETTER WHICH STATES A LETTER IS REQUEST FROM MWCC FOR PERMISSION TO DISPOSE OF APPROX. 150,000 CUBIC YARDS OF ASH AS COVER OVER PIG'S EYE. THE ATTACHMENT IS NOT INCLUDED WITH THIS DOCUMENT. THE LETTER ALSO STATES AT A MEETING ON 06/21/77 PORTAU COMMISSIONERS APPROVED THE REQUEST.	PORTAU, MWCC, CMSPRC
00997	07/11/77	ROBERT F. SPRAFKA	RICHARD J. DOUGHERTY	LETTER REGARDING ASH DISPOSAL	A LETTER, THE PORTAU APPROVED MWCC REQUEST TO DEPOSIT ASH AT PIG'S EYE; A LIST OF NAMES AND PHONE NUMBERS; A PAGE OF AN "UNIDENTIFIED" LETTER OR REPORT; AND A MAP LABELING "PROPOSED AREA FOR ASH DISPOSAL."	PORTAU, MWCC
01280	08/10/90	MPCA	PORTAU	MPCA INFORMATION REQUEST LETTER REGARDING PIG'S EYE	A MPCA INFORMATION REQUEST LETTER WHICH REQUIRES PORTAU TO PROVIDE INFORMATION REGARDING PIG'S EYE AND FISH HATCHERY'S DUMP TO MPCA.	PORTAU
01324	08/10/90	MPCA	PORTAU	MPCA INFORMATION REQUEST LETTER REGARDING PIG'S EYE	A MPCA INFORMATION REQUEST LETTER WHICH REQUIRES PORTAU TO PROVIDE INFORMATION REGARDING PIG'S EYE AND FISH HATCHERY'S DUMP TO MPCA.	PORTAU

PIG'S EYE LANDFILL  
RECORDS COMPILATIONS  
CITY OF ST. PAUL - PORT AUTHORITY

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02/24/95

DCN	DATE	AUTHOR	RECIPIENT	TITLE	SUMMARY	PRPS
01668	11/26/90	LAWRENCE H. LANGER, PORTAU	KATHY O'CONNELL, MPCA	PORTAU'S RESPONSE TO MPCA INFORMATION REQUEST LETTER	PORTAU'S RESPONSE TO MPCA'S INFORMATION REQUEST REGARDING PIG'S EYE. THE DOCUMENT STATES PORTAU HAS OWNED VARIOUS PARCELS IN THE VICINITY OF PIG'S EYE BEGINNING IN 1959 - 1984; IDENTIFIES PORTAU, DPWCSP, CMSPRC, MWCC, STATE OF MINNESOTA, AS PAST AND CURRENT OWNERS. THE DOCUMENT STATES WHAT PERMITS WERE GRANTED AND PORTAU NEVER ALLOWED DISPOSAL OF HAZARDOUS WASTES. THE LETTER STATES MAPS ARE ATTACHED; HOWEVER, THE MAPS ARE NOT INCLUDED WITH THE DOCUMENT.	PORTAU, DPWCSP, CMSPRC, MWCC
02158	09/15/93	CHERYL SMITH	NILE FELLOWS, MPCA	PIG'S EYE FILE AND RESEARCH SUMMARIES	A COMPILATION OF LISTS AND RESEARCH SUMMARIES CONCERNING PIG'S EYE DUMP. LISTS OF REQUEST FOR INFORMATION RECIPIENTS, PIG'S EYE FILES, MPCA ACTIVITIES TO DATE, HAULERS, POSSIBLE GENERATORS, AND RESEARCH TASKS ARE INCLUDED. ALSO INCLUDED IS A PIG'S EYE DUMP REVIEW.	PORTAU, COSTPA, MWCC, 3M, FORDMC
02452				NOTES ON PIG'S EYE LANDFILL RENT	STATEMENT REGARDING CMSPRC PIG'S EYE RENT ARE NOT DATED OR LABELLED WITH THE NAME OF THE AUTHOR. THE STATESMENTS DESCRIBE THE CONTENT OF OTHER DOCUMENTS RELATING TO THE LANDFILL RENT, INCLUDING LEASE TERMINATION LETTERS.	CMSPRC, MNDCON, PORTAU, CBQRRRC, COSTPA

STATE OF MINNESOTA  
DEPARTMENT OF TAXATION

Tax Forfeited Lands

## CONVEYANCE OF LANDS

Issued pursuant to Laws 1957, Chapter 812

THIS INDENTURE, Made this 7th day of October, 1959, between the State of Minnesota, as party of the first part, and Port Authority of the City of Saint Paul, a Governmental Subdivision, party of the second part, WITNESSETH:

WHEREAS, under and by virtue of Laws 1957, Chapter 812, the Commissioner of Taxation is authorized and directed to convey to the party of the second part tax forfeited lands in industrial development districts and petition has been made for conveyance of herein-after described lands.

NOW, THEREFORE, the State of Minnesota, pursuant to said laws, does hereby grant, bargain, sell and convey unto the said party of the second part, its successors and assigns, Forever, the interest of the State in all the tracts or parcels of land lying and being in the County of Ramsey, State of Minnesota, described as follows: to-wit:

- a-1/4 (Except part northeast of a line drawn from the northwest corner of southeast 1/4 of Northeast 1/4 to the southeast corner of said 1/4 section) the south 1/2 of the Northeast 1/4 of Section 10, Town 28, Range 22
- 1/4 North 1/2 of Southeast 1/4 of Section 10, Town 28, Range 22
- 1/4 Part westerly of a line 200 feet westerly of and parallel to the center line of main track of the Chicago, Milwaukee, St. Paul & Pacific Railway of the following: beginning at intersection of south line of Section 11 with westerly line of original right-of-way of Chicago, Milwaukee, St. Paul & Pacific Railway, thence north 43° 25' west 1098.9 feet to point on west line of Southeast 1/4 of Southwest 1/4, thence south to southwest corner of said 1/4 section, thence east to beginning, part of Southeast 1/4 of Southwest 1/4 of Section 11, Town 28, Range 22.
- 1/4 That tract southwesterly of a line 637 feet southwesterly from and parallel with the original center line of Chicago, Milwaukee & St. Paul being in Northwest 1/4 of Southwest 1/4 of Section 11, Township 28, Range 22
- a-1/4 Northwest 1/4 of Northwest 1/4 of Section 14, Township 28, Range 22
- 1/4 Southwest 1/4 of Northwest 1/4 of Section 14, Township 28, Range 22
- a-1/4 Northwest 1/4 of Southwest 1/4 of Section 14, Township 28, Range 22
- a-1/4 Part westerly of a line 200 feet westerly of and parallel to center line of Chicago, Milwaukee, St. Paul & Pacific Railway of Northeast 1/4 of Southwest 1/4 and of Northwest 1/4 of Southeast 1/4 of Section 14, Township 28, Range 22
- a-1/4 Southwest 1/4 of Southwest 1/4 of Section 14, Township 28, Range 22
- a-1/4 Northeast 1/4 of Southeast 1/4 of Southwest 1/4 of Section 14, Township 28, Range 22
- a-1/4 West 1/2 of Southeast 1/4 of Southwest 1/4 of Section 14, Township 28, Range 22
- a-1/4 Northwest 1/4 of Northeast 1/4 of Section 15, Township 28, Range 22
- a-1/4 South 1/2 of Northeast 1/4 of Section 15, Township 28, Range 22
- a-1/4 South 1/2 of Northeast 1/4 of Northwest 1/4 of Section 15, Township 28, Range 22
- a-1/4 Southeast 1/4 of Northwest 1/4 of Section 15, Township 28, Range 22
- a-1/4 (Except east 912.5 feet) the South 45 feet of North 94 1/2 feet of Government Lot #2 of Section 15, Township 28, Range 22
- a-1/4 (Except east 912.5 feet) the South 60 1/2 feet of North 155 feet of Government Lot #2 of Section 15, Township 28, Range 22
- a-1/4 Except part conveyed to City of St. Paul in Book 168 of Deeds, Page 222 and except part conveyed to Nicholas Flint in Book 419 of Deeds, Page 618; Northeast 1/4 of Southwest 1/4 of Section 15, Township 28, Range 22

BOOK 1664 PAGE 323

FILED IN 1959

1501652



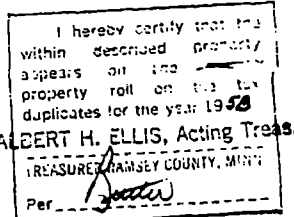
- a ✓ <sup>210</sup>/<sub>15</sub> Northeast  $\frac{1}{4}$  of Southeast  $\frac{1}{4}$  of Section 15, Township 28, Range 22  
 a ✓ <sup>210</sup>/<sub>15</sub> West  $\frac{1}{2}$  of Southeast  $\frac{1}{4}$  of Section 15, Township 28, Range 22  
 a ✓ <sup>210</sup>/<sub>15</sub> Southeast  $\frac{1}{4}$  of Southeast  $\frac{1}{4}$  of Section 15, Township 28, Range 22  
 a ✓ Northeast  $\frac{1}{4}$  of Northeast  $\frac{1}{4}$  of Section 22, Township 28, Range 22  
 a ✓ <sup>210</sup>/<sub>15</sub> Part of Government Lot 1, east of west line of Southeast  $\frac{1}{4}$  of Section 15 produced southerly to Mississippi River in Section 22, Township 28, Range 22  
 a ✓ <sup>210</sup>/<sub>15</sub> Southwest  $\frac{1}{4}$  of Northwest  $\frac{1}{4}$  of Section 23, Township 28, Range 22  
 Block 1, River Side Park Addition  
 Block 2, River Side Park Addition  
 Block 3, River Side Park Addition  
 Lots 3 through 9, Block 5, River Side Park Addition  
 Block 6, River Side Park Addition  
 Block 7, River Side Park Addition  
 Block 8, River Side Park Addition  
 Block 9, River Side Park Addition  
 Block 10, River Side Park Addition  
 Lots 1 through 6, Block 11, River Side Park Addition  
 Lots 9 through 15, Block 11, River Side Park Addition  
 Lots 1 through 10, Block 1, Riverside Park First Addition  
 Block 2, Riverside Park First Addition  
 Block 3, Riverside Park First Addition

All Assessments on the within property have been cancelled pursuant to laws 1935 Chapter 325 as amended.

DEPARTMENT OF FINANCE  
 ST. PAUL, MINN.

MRS. DONALD M. DeCOURCY  
 Commissioner of Finance

By Albert H. Ellis



excepting and reserving to the said state, in trust for the taxing districts concerned, all minerals and mineral rights, as provided by law,

TO HAVE AND TO HOLD THE SAME, together with all the hereditaments and appurtenances thereunto belonging or in anywise appertaining, to the said party of the second part, its successors and assigns, Forever.

IN TESTIMONY WHEREOF, the State of Minnesota has caused this deed to be executed in its name in the City of St. Paul, County of Ramsey and State of Minnesota, the day and year first above written.

In Presence of:

Jean Peterson  
Richard Rueger

STATE OF MINNESOTA

County of Ramsey

ss.

STATE OF MINNESOTA

JOSEPH M. ROBERTSON  
 Commissioner of Taxation

By George R. Johnson

On this 7th day of October, 1959, before me personally appeared GEORGE R. JOHNSON, Assistant Commissioner of Taxation of the State of Minnesota, to me known to be the person who executed the foregoing conveyance in behalf of the State of Minnesota, and acknowledged that he executed the same as the free act and deed of said state pursuant to the laws in such case made and provided.

EXEMPT FROM STATE DEED TAX  
 FOR FILING ONLY

By State of Minn.  
 ALBERT H. ELLIS, Acting Treas.

By Janet Bovy

Janet Bovy  
 JANET BOVY  
 Notary Public, Ramsey County, Minn.  
 My Commission Expires April 15, 1964.

September 11, 1962

Hon. Milton Rosen  
Commissioner of Public Works  
234 City Hall

Dear Commissioner:

I have investigated the property which Commissioner Loss inquired about which the Port Authority supposedly had for sale near the junction of T.H. 61 and Point Douglas Road.

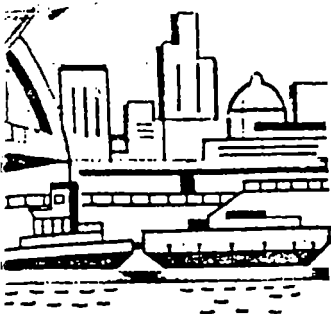
I found that the Port Authority owns two parcels of property which actually cross T.H. 61 near the Point Douglas Road. One parcel extends westerly of T.H. 61 toward our Fish Hatchery Dump area, while the other parcel extends east of T.H. 61 and includes the slope area along the highway. It is this latter parcel which Commissioner Loss inquired about, and his reason was to preserve the view in that particular area.

This for your information.

Yours very truly,

Clyde A. Tester  
Supt. of Sanitation

CAT:k



# PORT AUTHORITY

OF THE CITY OF SAINT PAUL

60 EAST FOURTH STREET  
SAINT PAUL 1, MINNESOTA - 224-5686

August 30, 1962

D. MARZITELLI  
EXECUTIVE VICE PRESIDENT

E. KINYIO  
GENERAL MANAGER

E. CLAWSON  
DIRECTOR  
INDUSTRIAL DEVELOPMENT

D. BRADDOCK  
CHIEF ENGINEER

W. FITZPATRICK  
CONSULTANT

COMMISSIONERS

P. H. NABON  
PRESIDENT

ARD C. RADMAN  
VICE PRESIDENT

ART W. JOHNSON  
SECRETARY

H. GRIESENOW  
TREASURER

ERT J. BRAND

ARD T. HOLLAND

ERT F. PETERSON

LEGISLATIVE ADVISORS

N. SCHULTZ  
STATE SENATOR

D. WOZNIAK  
STATE REPRESENTATIVE

Mr. Frank L. Loss  
Commissioner  
Department of Parks and Recreation and Public Buildings  
City of Saint Paul  
City Hall and Court House  
Saint Paul 2, Minnesota

Dear Commissioner Loss:

Your letter of July 20, 1961 stated that your department desired to acquire the tract of land containing 3.9 acres and located on the east side of the junction of T.H. 61 and Point Douglas Road, which the Port Authority had advertised for sale.

This tract had been acquired by the Port Authority from the State of Minnesota as a portion of a larger tract, the bulk of which lies westerly of T.H. 61, in a district we call "Upper Pigs Eye."

The Port Authority Commission has adopted a motion authorizing the Port Authority Staff to negotiate a trade with the proper departments of the city for this 3.9 acre tract for city lands in the Upper Pigs Eye District.

In 1952, the city obtained, from the State of Minnesota, a limited conveyance of the tax forfeited lands in that area pursuant to Chapter 511 of the Laws of Minnesota of 1941. The specific purpose for which the lands were acquired by the city was for a public dump and under the terms of the law when the lands are not so used, the title would revert to the State.

It is therefore suggested that inasmuch as at some time in the future, the so called Upper Pigs Eye District could be used for industrial purposes of a suitable nature, that the departments of the city concerned consider making the suggested trade.

It would be our thought that the city convey their limited interest in the property back to the State of Minnesota and the Port Authority would promptly obtain fee title, less mineral rights, from the State in accordance with Minnesota Statutes, Chapter 458, as amended.

The Port Authority would then enter into an agreement with the Public Works Department of the City for the continuation of the use of the property as a public dump and include in that agreement the additional lands the Port Authority now owns in that area. This arrangement would permit the Port Authority to make use of the filled area as it is completed and would not interfere with the plans of the Public Works Department, but would in fact augment them.

There is attached hereto the legal description of the two areas that are the subject of the suggested trade.

Very truly yours,

Frank D. Marzitelli  
Executive Vice President

js

cc: ✓ Commissioner Milton Rosen  
Department of Public Works  
City of Saint Paul

## LEGAL DESCRIPTION OF THE LANDS OFFERED FOR TRADE

## 1. Property Owned by the Port Authority.

That part of the following two described parcels lying northeasterly of the right-of-way of Trunk Hwy. 61 and Point Douglas Road as follows:

Subj to Trunk Hwy 61 and Point Douglas Road, beg at a point N  $72^{\circ}$ -30' W 23.1 ft from point on  $\frac{1}{4}$  sec line located 1143.65 ft S from  $\frac{1}{4}$  post on N line of sec 3; th N  $72^{\circ}$ -E 660 ft; th N  $17^{\circ}$ -30' E 1028.94 ft to pt of beg in NW  $\frac{1}{4}$  of sec 3, T 28, R 22.

Subj to Trunk Hwy 61 and Point Douglas Road, commencing at the NE cor of the NW  $\frac{1}{4}$ ; th S  $56^{\circ}$  W 543.18 feet; th N  $69^{\circ}$ -25' W 9.90 ft; th S  $18\frac{3}{4}^{\circ}$  W 694.65 feet to pt of beg; th S  $18\frac{3}{4}^{\circ}$  W 1005.84 feet; th S  $72\frac{1}{2}^{\circ}$  E 47.52 ft; th N  $17\frac{1}{2}^{\circ}$  E 1004.85 ft; th N  $72\frac{1}{2}^{\circ}$  W 26 ft more or less to beg in Sec 3, T 28, R 22.

Both parcels containing a total of 3.9 acres, more or less.

Property Owned by the City of Saint Paul.

2. Lots 1 to 10 inclusive, Block 5; Lots 1 to 10 inclusive, Block 6; and Lots 6 to 10 inclusive, Block 7, all in the Town of Lower St. Paul; and also a miscellaneous tract described as follows:

beginning at the northeast corner of southeast  $\frac{1}{4}$  of northeast  $\frac{1}{4}$ ; thence west 376 feet, thence south  $38^{\circ}45'$  west 800 feet, thence easterly to a point on the east line of Section 4, 650 feet southerly from the aforesaid  $\frac{1}{4}$   $\frac{1}{4}$  section corner, thence north to place of beginning, part of Section 4, Township 28, Range 22.

RECEIVED

MAR 4 1965

DEPT. OF PUBLIC WORKS  
CHIEF ENGINEER

## PORT AUTHORITY OF THE CITY OF SAINT PAUL

1130 MINNESOTA BUILDING, 4TH AND CEDAR, SAINT PAUL, MINN. 55101, PHONE 224-5686

March 4, 1965

Department of Public Works  
City of Saint Paul  
City Hall and Court House  
Saint Paul, Minnesota 55101

Attention: Mr. Eugene Avery, Chief Engineer

Subject: Riverview Industrial Park - Old  
State Street Dump

Dear Mr. Avery:

The Port Authority has a contract in progress which involves the excavation and removal of the old State Street dump. Located on the area to be excavated (on the east side of State Street, north of the railroad tracks) are two baseball or softball backstops and a Department of Public Works maintenance station. It would appear that if the Port Authority contractor maintains his present rate of excavation, the areas occupied by the above mentioned facilities will be ready for removal by March 12, 1965.

We respectfully request that the necessary steps be taken to cause these facilities to be relocated so as not to delay our contractor in the prosecution of his work.

Very truly yours,

*Francis D. Hagen, P.E.*  
Francis D. Hagen, P.E.  
Chief Engineer

FDH:ss

FRANK D. MARZITELLI  
EXECUTIVE VICE PRESIDENT

FRANK E. CLAWSON  
DIRECTOR, INDUSTRIAL DEVELOPMENT

EUGENE A. KRAUT  
ASSISTANT TO THE EXECUTIVE VICE PRESIDENT

COMMISSIONERS FRED W. FISHER RICHARD C. RADMAN BERNARD T. HOLLAND NEIL H. GRIEBENOW H. WILLIAM BLAKE DR. JOHN L. RENDALL ROBERT F. PETI  
PRESIDENT VICE PRESIDENT SECRETARY TREASURER

LEGISLATIVE ADVISORS NICHOLAS D. COLEMAN, STATE SENATOR

ERNEST A. BEEDLE, STATE REPRESENTATIVE

*Where did we  
this go?*

TRI-COUNTY  
VOLUME I

Page No. 2  
01/03/95

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PRPCODE PRPNAME

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ACH949 ACHILLI BUILDERS - 6003949

ACHJOE ACHILLI, JOE APARTMENTS

ACMFSC ACMF SCREW CO.

ADILIS ADILIS RESTAURANT

ADKINS ADKINS, LEM EL

ABLD76 ADMIRAL BUILDERS 1004 376

ABLD38 ADMIRAL BUILDERS 1021138

ADVMOV ADVANCE MOVING ENGINEERS

ADVENT ADVENTURELAND, INC.

AFLIND AFL INDUSTRIES

AIRPRT AIRPORT LOUNGE, INC.

AJHORN AJ HORNE, INC.

ALJOCN AL JO CONSTRUCTION

ALCAN ALCAN CONSTRUCTION

ALDUNI ALDERSGATE UNITED METHODIST

---

**THE DEPARTMENT OF PUBLIC WORKS  
OF THE  
CITY OF ST. PAUL**

**INTER-OFFICE COMMUNICATION**

November 22, 1966

**SUMMARY OF PORT AUTHORITY - PUBLIC WORKS MEETING**

**IN RELATION TO PIG'S EYE LANDFILL EXPANSION**

On Friday, November 18, 1966, a meeting was held in the Fifth Floor Conference Room between Messrs. Marzitelli and Hagen representing the Port Authority, and Commissioner Peterson and Messrs. Avery, Forsberg and Schonberger representing the Public Works Department, to inquire into the possibility of negotiating an agreement with the Port Authority for future expansion of the landfill area southerly from the existing Pig's Eye Landfill.

We are presently using up landfill space on the basis of about 40 acres per year, which would mean that the presently leased Pig's Eye area and utilizing the present methods of operation would last about five more years.

If additional equipment and perhaps doubling the density of the fill can be accomplished, this would extend the life of the existing landfill to eight to ten years. However, if additional space could be obtained from the Port Authority, it is likely that this would extend this landfill area up in the neighborhood of eighteen to twenty years.

Mr. Marzitelli suggested the likelihood of going to incineration, but Commissioner Peterson and Mr. Avery both stated that in view of the very high initial cost, as well as the high operational cost of an incinerator, and the fact that additional methods may be devised in coping with refuse, as well as the fact that a more metropolitan approach in that regard might be achieved within the next fifteen years, no further steps would be taken immediately insofar as going to incineration is concerned.

Also, Mr. Marzitelli stated that the Port Authority intends to make a land transfer between themselves and the M.S.S.D. to have a more "block" area available for future expansion of both the Sanitary Treatment owned land and the Port Authority land. In other words, they will transfer between the two to square out the property which will be held by both in the future.

The Port Authority also intends to obtain fee title to tax forfeit area easterly and southerly of the present Fish Hatchery Landfill, which is area beyond our present Burlington Railway lease area. It is possible that if they decide to remove and dispose separately of the peat area from the Pig's Eye harbor area, it may be disposed of in this area, although the Port Authority is not certain at the present time whether they will remove and dispose of this depth of peat or fill over it in view of the great amount of it.



- 2 -

November 22, 1966

Mr. Marzitelli agreed to lease of additional area to the City of St. Paul and the Port Authority will furnish property descriptions of the area under which the lease is proposed. These property descriptions were received from Mr. Hagen on November 21, 1966. The agreement, generally, approves the leasing of an area southerly of the line between Sections 11 and 12. The present roadways we have leading down into the Pig's Eye Landfill could be extended southerly and easterly into the enlarged newly leased area so that access to the future Port Authority harbor area will be provided to them without the necessity of going south to Newport as they now have to do. Also, branches could be made easterly and westerly off of this main roadway to the landfill area as it is worked.

They requested that no old refrigerators, large tree stumps and the like be accepted for fill in this area, which requests we can honor. Also, the comment was made that a great amount of aluminum cans are generally salvaged by scavengers or metal reclaiming firms.

The Port Authority is also checking into the possibility of whether the Sanitary District Fly Ash material can be mixed with building demolition fill material or refuse material so that it can be determined if the Fly Ash, which has already been deposited northeasterly of the present plant, can be handled in that fashion. The Port Authority is also going to request the Sanitary District to distribute the present Fly Ash pipe line onto the Sanitary District property from now on, rather than in the area northeasterly of the present Treatment Plant on land now owned by the Port Authority. This for memorandum purposes only.



Kent Schonberger  
Maintenance Engineer

KS:ma

cc: Floyd J. Forsberg

# PORT AUTHORITY

OF THE CITY OF ST. PAUL

## **Memorandum**

TO: Leases and Contracts Committee                      DATE: February 16, 1967

FROM: Francis D. Hagen, Chief Engineer

SUBJECT: License Agreement for Sanitary Land Fill in the  
Pig's Eye Lake Area.

Submitted herewith is a proposed license agreement between the Port Authority and the City of Saint Paul wherein they request permission to use the portion of land at the northerly end of the Pig's Eye Lake Area for dumping and land fill operations. The amount of land requested to be used under this license agreement is 129.65 acres and lies immediately adjacent to the Port Authority's boundary with the Milwaukee Road right-of-way.

Under the proposal the City agrees not to allow the dumping of large metal objects such as car bodies, refrigerators, stoves, etc., demolition material larger than one cubic foot in volume and further shall not allow disposal of stumps or trees larger than four inches in diameter. It is proposed that the land fill operation be conducted with deposits reaching not more than seven feet in thickness per layer and that the deposited waste material will be covered at the end of each day with earth or small rubble.

The agreement further states that the Port Authority may terminate the agreement at any time by giving the City sixty days notice in writing. In meetings held with the City of Saint Paul regarding the use of this land, it appears that the allowing of this filling operation to proceed can be of mutual benefit to the City and the Port Authority provided the method of disposal of material and the type of material deposited are controlled.

It would appear that in the future development of this area with the existing soil conditions and the cost of filling taken into consideration, piling will be needed for the

LICENSE AGREEMENT

-2-

February 16, 1967

construction of buildings. With a properly regulated sanitary land fill, the problems of pile driving should be reduced and the advantages of having an area filled at no expense to the Port Authority taken as a benefit. This area which is proposed to be used as a sanitary land fill can also receive consideration for development as a low density building construction area.

Based on all of the foregoing, it is my recommendation that this license agreement with the City of Saint Paul be accepted and approved for signing and that the President and Secretary be authorized to sign the agreement.

sjl



THIS AGREEMENT, made as of the 21st day of February, 1967, by and between PORT AUTHORITY OF THE CITY OF SAINT PAUL, a Body Politic and corporate in the State of Minnesota, hereinafter designated "Port Authority", and the CITY OF SAINT PAUL, a municipal corporation of the State of Minnesota, hereinafter designated the "City",

WITNESSETH:

That the said Port Authority, in consideration of the sum of One Dollar (\$1.00) to it in hand paid by said City, the receipt and sufficiency whereof are hereby acknowledged, and in consideration of the faithful performance by said City of its covenants hereinafter set forth, hereby grants unto said City the right, license and privilege to enter upon and to use, for an all purpose dump and land-fill operations of said City the following described lands of said Port Authority situate in the County of Ramsey and State of Minnesota, to-wit:

Except part northeast of a line drawn from the northwest corner of southwest 1/4 of northeast 1/4 to the southeast corner of said 1/4 section the south 1/2 of the northeast 1/4 of Section 10, Township 28 North, Range 22 West, all that part of the north 1/2 of the northwest 1/4 of Section 10, Township 28 North, Range 22 West, lying southwesterly of a straight line extending from the northwest corner to the southeast corner of said north 1/2 of the northwest 1/4;

Also, the north 54.65 acres of the south 1/2 of the northwest 1/4 of said Section 10, excepting therefrom the south 5 acres of the west 1/2 of the said north 54.65 acres of the south 1/2 of the northwest 1/4 of said Section 10, containing 89.65 acres, more or less;

provided that such all purpose dump and land fill operations shall be according to the so-called Sanitary Fill Method with the dump and

land fill deposited in layers not more than seven feet (7') in depth and covered at the end of each day with earth, rubble or other waste material; and provided that such grant of said right, license and privilege hereunder, by said Port Authority unto said City, shall be subject to said City's observance and performance of the following requirements and conditions:

1. That said all purpose dump and land fill operations by said City, hereunder, shall not result in an increase of the elevation of the subject hereinabove described premises higher than 704 feet above mean sea level computed according to City datum; and that said City shall supervise said all purpose dump and land fill operations and the subject premises when the same shall be used for such purposes by said City hereunder.
2. That said City shall maintain a water fire line for fire protection and provide and maintain an outlet for any drainage lines which may empty into said all purpose dump and land fill, imposed by said City upon said premises, hereunder; and that said City shall, as such shall become necessary, extend said water fire lines for protection in said all purpose dump and land fill area; that said water fire line shall be installed by and at the expense of said City.
3. That said City shall conduct its operations, hereunder, so as to permit the installation and maintenance of a roadway; and that said City shall perform all of its operations, hereunder, at its sole cost and expense and subject to supervision and direction by said Port Authority consistent herewith.
4. That said City shall indemnify and save harmless said Port Authority, its successors and assigns, from all liability, cost and expense on account of injury to property or injury to or death of any person which may be caused or occasioned by reason of the work performed by said City on the hereinabove described premises of said Port Authority, hereunder.
5. That said City shall not allow the dumping of large metal objects, such as car bodies, refrigerators, stoves, etc., demolition material larger than one cubic foot in volume, and further shall not allow disposal of stumps or trees that are larger than four (4) inches in diameter upon these premises.

6. That this Agreement shall extend to and bind said parties and their respective successors and assigns provided, however, that said Port Authority, without liability for damages therefor, may terminate this Agreement at any time by giving said City sixty (60) days notice in writing of such termination, specifying the effective date of the same; and that the all purpose dump and land fill material placed upon said Port Authority's premises, by said City, hereunder, shall become the property of said Port Authority; and provided further that said City, except as respects any liability theretofore incurred, hereunder, without liability for damages therefor, may terminate this Agreement at any time by giving to said Port Authority sixty (60) days notice in writing of such termination and specifying the date of the same.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the day and year first above written.

In Presence Of:

Samuel Hagen

Samuel Hagen

\_\_\_\_\_

\_\_\_\_\_

PORT AUTHORITY OF THE  
CITY OF SAINT PAUL

By: Robert C. Nelson  
President

Bernard J. Halland  
Secretary

CITY OF SAINT PAUL

By: Thomas R. Byrne  
Mayor

Robert F. Peterson  
Commissioner of Public Works

James E. Marshall  
City Clerk

Form Approved:

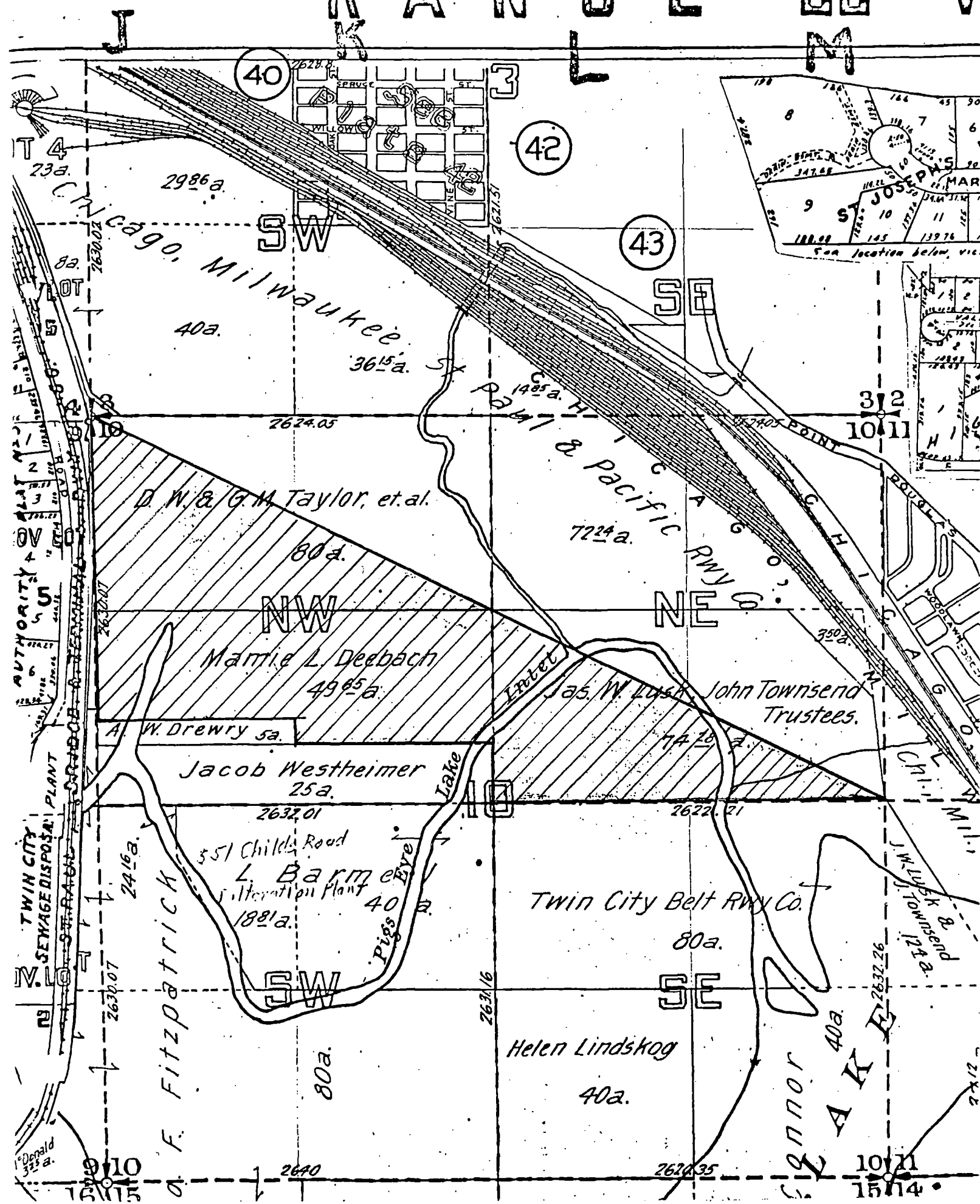
James J. Sygal  
Assistant Corporation Counsel

Countersigned:

Joe Matheson  
City Comptroller

Approved as to form and execution  
this 3 day of March, 1967.

Paul J. Kelly  
Assistant Corporation Counsel



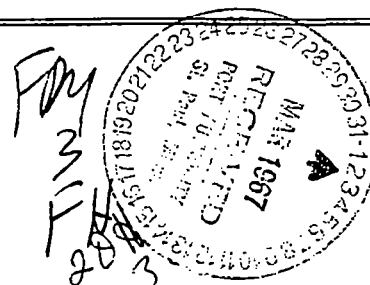
CITY OF ST. PAUL  
OFFICE OF THE CITY CLERK  
COUNCIL RESOLUTION—GENERAL FORM

COUNCIL  
FILE N

00333

PRESENTED BY  
COMMISSIONER

DATE



**RESOLVE, That the proper city officers of the City of Saint Paul are hereby authorized and directed to enter into an agreement with the Port Authority of the City of Saint Paul concerning the use of parts of the Pigs Eye Lake area for sanitary landfill operations, as more particularly set forth in said agreement.**

MAR 2 1967

COUNCILMEN

Adopted by the Council \_\_\_\_\_ 19\_\_

Yeas \_\_\_\_\_ Nays \_\_\_\_\_

MAR 2 1967

Carlson

Approved \_\_\_\_\_ 19\_\_

Dalglish

Holland

~~Meredith~~

Peterson

Tedesco

6 In Favor

0 Against

\_\_\_\_\_  
Mayor

Mr. President, Byrne



LICENSE AGREEMENT

THIS AGREEMENT, made as of the 21st day of February, 1967, by and between PORT AUTHORITY OF THE CITY OF SAINT PAUL, a Body Politic and corporate in the State of Minnesota, hereinafter designated "Port Authority", and the CITY OF SAINT PAUL, a municipal corporation of the State of Minnesota, hereinafter designated the "City",

## WITNESSETH:

That the said Port Authority, in consideration of the sum of One Dollar (\$1.00) to it in hand paid by said City, the receipt and sufficiency whereof are hereby acknowledged, and in consideration of the faithful performance by said City of its covenants hereinafter set forth, hereby grants unto said City the right, license and privilege to enter upon and to use, for an all purpose dump and land-fill operations of said City the following described lands of said Port Authority situate in the County of Ramsey and State of Minnesota, to-wit:

Except part northeast of a line drawn from the northwest corner of southwest 1/4 of northeast 1/4 to the southeast corner of said 1/4 section the south 1/2 of the northeast 1/4 of Section 10, Township 28 North, Range 22 West, all that part of the north 1/2 of the northwest 1/4 of Section 10, Township 28 North, Range 22 West, lying southwesterly of a straight line extending from the northwest corner to the southeast corner of said north 1/2 of the northwest 1/4;

Also, the north 54.65 acres of the south 1/2 of the northwest 1/4 of said Section 10, excepting therefrom the south 5 acres of the west 1/2 of the said north 54.65 acres of the south 1/2 of the northwest 1/4 of said Section 10, containing 89.65 acres, more or less;

provided that such all purpose dump and land fill operations shall be according to the so-called Sanitary Fill Method with the dump and

land fill deposited in layers not more than seven feet (7') in depth and covered at the end of each day with earth, rubble or other waste material; and provided that such grant of said right, license and privilege hereunder, by said Port Authority unto said City, shall be subject to said City's observance and performance of the following requirements and conditions:

1. That said all purpose dump and land fill operations by said City, hereunder, shall not result in an increase of the elevation of the subject hereinabove described premises higher than 704 feet above mean sea level computed according to City datum; and that said City shall supervise said all purpose dump and land fill operations and the subject premises when the same shall be used for such purposes by said City hereunder.
2. That said City shall maintain a water fire line for fire protection and provide and maintain an outlet for any drainage lines which may empty into said all purpose dump and land fill, imposed by said City upon said premises, hereunder; and that said City shall, as such shall become necessary, extend said water fire lines for protection in said all purpose dump and land fill area; that said water fire line shall be installed by and at the expense of said City.
3. That said City shall conduct its operations, hereunder, so as to permit the installation and maintenance of a roadway; and that said City shall perform all of its operations, hereunder, at its sole cost and expense and subject to supervision and direction by said Port Authority consistent herewith.
4. That said City shall indemnify and save harmless said Port Authority, its successors and assigns, from all liability, cost and expense on account of injury to property or injury to or death of any person which may be caused or occasioned by reason of the work performed by said City on the hereinabove described premises of said Port Authority, hereunder.
5. That said City shall not allow the dumping of large metal objects, such as car bodies, refrigerators, stoves, etc., demolition material larger than one cubic foot in volume, and further shall not allow disposal of stumps or trees that are larger than four (4) inches in diameter upon these premises.

6. That this Agreement shall extend to and bind said parties and their respective successors and assigns provided, however, that said Port Authority, without liability for damages therefor, may terminate this Agreement at any time by giving said City sixty (60) days notice in writing of such termination, specifying the effective date of the same; and that the all purpose dump and land fill material placed upon said Port Authority's premises, by said City, hereunder, shall become the property of said Port Authority; and provided further that said City, except as respects any liability theretofore incurred, hereunder, without liability for damages therefor, may terminate this Agreement at any time by giving to said Port Authority sixty (60) days notice in writing of such termination and specifying the date of the same.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the day and year first above written.

In Presence Of:

Maurice D. Huges  
Richard D. Huges

PORT AUTHORITY OF THE  
CITY OF SAINT PAUL

By: Paul C. Kelly

President

Bernard T. Halland  
Secretary

CITY OF SAINT PAUL

By: Thomas R. Byrne

Mayor

Robert F. Peterson  
Commissioner of Public Works

Henry E. Marshall  
City Clerk

Form Approved:

James J. Smith  
Assistant Corporation Counsel

Countersigned:

James J. Smith  
City Comptroller

Approved as to form and execution  
this 3 day of March, 1967.

Paul C. Kelly  
Assistant Corporation Counsel

BUREAU OF CONCT. & REPAIR  
W. S. COCKROFT, SUPT.  
GEO. M. GAREN, ASST. SUPT.

BUREAU OF HIGHWAYS  
M. S. GRITBAK, ENGINEER

OFFICE ENGINEER  
HERBERT S. WEST

TRAFFIC ENGINEER  
MAURICE W. HEWETT

# CITY OF SAINT PAUL

Capital of Minnesota

## DEPARTMENT OF PUBLIC WORKS

MILTON ROSEN, COMMISSIONER  
FRED DRIVER, DEPUTY COMMISSIONER  
GEORGE M. SHEPARD, CHIEF ENGINEER



December 22, 1949

00408

Acc. JOS. PAVLICEK  
DEPT'L. ACCOUNTANT

BUREAU OF SANITATION  
JOHN M. COTTER, SUPT.

BUREAU OF MUNICIPAL EQUIPMENT  
ARTHUR H. KOCH


BUREAU OF CORRECTION  
JOHN P. MULLANEY, SUPT.

Mr. Joseph J. Mitchell  
City Comptroller  
Room 109 City Hall

Dear Sir:

I am attaching hereto executed copy of right of way permit from the Department of Conservation of the State of Minnesota, granting the City of St. Paul the right to maintain its roadways through the Fish Hatchery property. The term of this permit expires November 1, 1951. Mr. E. V. Willard, Deputy Commissioner of Conservation, advises me that legislation may be passed transferring the title of this property for highway purposes to the City of St. Paul. I believe it advisable that steps be taken to have such a bill introduced at the next session of the Legislature.

Yours very truly,

  
GEORGE M. SHEPARD  
Chief Engineer

Encl.

LICENSE AGREEMENT

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## WITNESSETH:

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provided that such all purpose dump and land fill operations shall be according to the so-called Sanitary Fill Method with the dump and

land fill deposited in layers not more than seven feet (7') in depth and covered at the end of each day with earth, rubble or other waste material; and provided that such grant of said right, license and privilege hereunder, by said Port Authority unto said City, shall be subject to said City's observance and performance of the following requirements and conditions:

1. That said all purpose dump and land fill operations by said City, hereunder, shall not result in an increase of the elevation of the subject hereinabove described premises higher than 704 feet above mean sea level computed according to City datum; and that said City shall supervise said all purpose dump and land fill operations and the subject premises when the same shall be used for such purposes by said City hereunder.
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3. That said City shall conduct its operations, hereunder, so as to permit the installation and maintenance of a roadway; and that said City shall perform all of its operations, hereunder, at its sole cost and expense and subject to supervision and direction by said Port Authority consistent herewith.
4. That said City shall indemnify and save harmless said Port Authority, its successors and assigns, from all liability, cost and expense on account of injury to property or injury to or death of any person which may be caused or occasioned by reason of the work performed by said City on the hereinabove described premises of said Port Authority, hereunder.
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6. That this Agreement shall extend to and bind said parties and their respective successors and assigns provided, however, that said Port Authority, without liability for damages therefor, may terminate this Agreement at any time by giving said City sixty (60) days notice in writing of such termination, specifying the effective date of the same; and that the all purpose dump and land fill material placed upon said Port Authority's premises, by said City, hereunder, shall become the property of said Port Authority; and provided further that said City, except as respects any liability theretofore incurred, hereunder, without liability for damages therefor, may terminate this Agreement at any time by giving to said Port Authority sixty (60) days notice in writing of such termination and specifying the date of the same.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the day and year first above written.

In Presence Of:

Thomas D. Hagen  
Richard P. Hanel

\_\_\_\_\_  
\_\_\_\_\_

Form Approved:

James J. Hagen  
Assistant Corporation Counsel

Approved as to form and execution  
this 3 day of March, 1967.

Paul J. Kelly  
Assistant Corporation Counsel

PORT AUTHORITY OF THE  
CITY OF SAINT PAUL

By: Will C. Kelly  
President

Bernard J. Holland  
Secretary

CITY OF SAINT PAUL

By: Thomas R. Byrne  
Mayor

Robert J. Peterson  
Commissioner of Public Works

Thomas J. Marshall  
City Clerk

Countersigned:

Joe J. Marshall  
City Comptroller



00330

CITY OF SAINT PAUL  
OFFICE OF THE MAYOR

LAWRENCE D. COHEN  
MAYOR

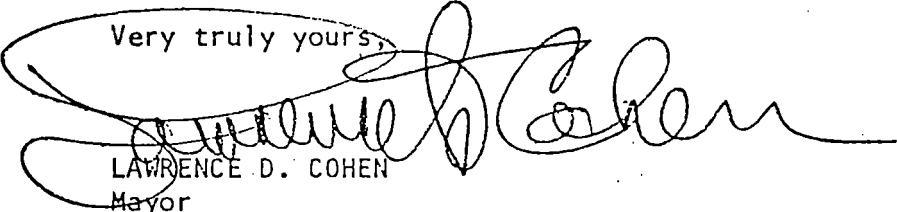
September 30, 1974

Mr. Robert F. Sprafka  
Executive Vice President  
Port Authority of Saint Paul  
330 Minnesota Building  
Saint Paul, Minnesota 55101

Dear Mr. Sprafka:

The City of Saint Paul has discontinued the Pig's Eye Landfill and the Old Fish Hatchery Landfills. The Port Authority, by Agreement dated February 21, 1967, authorized the City of Saint Paul to enter on a portion of the Port Authority property for the purpose of conducting a public sanitary landfill. This Agreement provided that either the City or the Port Authority may terminate the Agreement by giving sixty (60) days written notice thereof to the other party. In accordance with this Agreement and authority granted to me by the Saint Paul City Council, I hereby notify you that the City of Saint Paul does hereby terminate that certain license Agreement between the Port Authority and the City of Saint Paul, dated February 21, 1967, sixty (60) days from and after the date of this letter.

Very truly yours,

  
LAWRENCE D. COHEN  
Mayor

cc: Frank Marzitelli, City Administrator  
Daniel Dunford, Dir., Department of Public Works  
Robert Trudeau, Dir., Department of Finance



FJo

I...

March 10, 1967

Mr. Joseph J. Mitchell  
City Comptroller  
109 City Hall  
City of Saint Paul

Dear Mr. Mitchell:

Transmitted herewith for your permanent files is one copy of the License Agreement between the St. Paul Port Authority and the City of Saint Paul regarding the use of parts of Pigs Eye Lake Area for sanitary landfill operations.

This agreement was authorized by the City Council under resolution C. F. 232291, approved March 2, 1967.

A copy of this agreement is also being sent to Mr. Joe Crea and Mr. James Schwartz of this department.

Yours very truly,

Eugene V. Avery  
Chief Engineer

EVA/jv  
Attech: 1  
cc: James Schwartz  
Joe Crea  
Floyd Forsberg

*Pigeon Landfill*

00332

Council File No. 192641—By Robert F. Peterson—

Whereas, The City of Saint Paul did receive a conveyance of forfeited lands dated July 11, 1957, from the State of Minnesota (a copy of which deed is attached hereto and made a part hereof); and

Whereas, The said property was conveyed to the City by the State, exclusively for refuse disposal and for the eventual use for wharves, levies, and river development; and

Whereas, The Port Authority of the City of Saint Paul, under and pursuant to statutes of the State of Minnesota, has requested that the City of Saint Paul reconvey such property described in the attached deed to the State of Minnesota for the purpose of the State of Minnesota in turn conveying the aforementioned property free and clear from any restrictions except mineral reservations to the Port Authority of the City of Saint Paul for the proper development of this property; now, therefore, be it

Resolved, That the proper City officers are hereby authorized and empowered to transfer and reconvey the said property described in said deed to the Tax Commissioner, State of Minnesota, provided that said Port Authority of the City of Saint Paul will make provision by easement or otherwise for the use of certain portions of said property for refuse disposal by the Minneapolis-Saint Paul Sanitary District.

Adopted by the Council June 5, 1959.  
Approved June 5, 1959.  
(June 13, 1959)

## 2

<b>APPEARANCE</b> <input type="checkbox"/> SLIGHTLY <input checked="" type="checkbox"/> UNSIGHTLY	<b>IS BLOWING PAPER CONTROLLED?</b> <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<b>IS BLOWING PAPER CONSIDERED TO BE A NUISANCE?</b> <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<b>ROUTINE BURNING</b> <input checked="" type="checkbox"/> NONE <input type="checkbox"/> UNCONTROLLED <input type="checkbox"/> PLANNED AND LIMITED	<b>ARE THERE SURFACE DRAINAGE PROBLEMS?</b> <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<b>ARE THERE LEACHING PROBLEMS?</b> <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
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# PIGS EYE LANDFILL LAND DISPOSAL SITE INVESTIGATION REPORT (Page 2)

24. CONTROL PROGRAMS				Do not use		28. IS LOWEST PART OF FILL IN WATER TABLE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
RODENT CONTROL PROGRAM	NEEDED	<input checked="" type="checkbox"/>	<input type="checkbox"/>	21	29. FIRE PROTECTION <input type="checkbox"/> NONE <input checked="" type="checkbox"/> WATER <input type="checkbox"/> FIREBREAK <input checked="" type="checkbox"/> OTHER <u>TANK WAGON</u> (Specify)		
	PROVIDED	<input checked="" type="checkbox"/>	<input type="checkbox"/>	22			
FLY CONTROL PROGRAM	NEEDED	<input checked="" type="checkbox"/>	<input type="checkbox"/>	23	30. NUMBER OF TIMES FIRE CONTROL EQUIPMENT WAS REQUIRED AT SITE IN THE PAST YEAR <span style="float:right">33 34 35</span>		
	PROVIDED	<input checked="" type="checkbox"/>	<input type="checkbox"/>	24			
BIRD CONTROL PROGRAM	NEEDED	<input type="checkbox"/>	<input checked="" type="checkbox"/>	25	31. IS SALVAGING PERMITTED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
	PROVIDED	<input type="checkbox"/>	<input checked="" type="checkbox"/>	26			
DUST CONTROL PROGRAM	NEEDED	<input type="checkbox"/>	<input checked="" type="checkbox"/>	27	32. IS SALVAGING PRACTICED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
	PROVIDED	<input type="checkbox"/>	<input checked="" type="checkbox"/>	28			
ODOR CONTROL PROGRAM	NEEDED	<input checked="" type="checkbox"/>	<input type="checkbox"/>	29	33. ESTIMATED NUMBER OF LOADS DEPOSITED DAILY (Average)		
	PROVIDED	<input checked="" type="checkbox"/>	<input type="checkbox"/>	30			
				FROM PUBLIC COLLECTION VEHICLES		FROM PRIVATE COLLECTION VEHICLES	FROM OTHER VEHICLES
				(Enter number) <span style="float:right">38 39 40</span>		(Enter number) <span style="float:right">41 42 43</span>	(Enter number) <span style="float:right">44 45 46</span>
34. ARE QUANTITATIVE RECORDS KEPT IN ANY FORM? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO				37. CHECK ANY ITEMS LISTED BELOW WHICH ARE EXCLUDED FROM THE DISPOSAL SITE			
35. QUANTITIES OF SOLID WASTES RECEIVED ANNUALLY							
TONS WEIGHED	48 49 50 51 52 53 54						
TONS ESTIMATED	55 56 57 58 59 60 61						
CUBIC YARDS	62 63 64 65 66 67 68 69						
36. GENERAL CLASSIFICATION OF SOLID WASTES ACCEPTED AT DISPOSAL SITE (Check those accepted)							
<input checked="" type="checkbox"/> HOUSEHOLD	<input checked="" type="checkbox"/> INDUSTRIAL	<input checked="" type="checkbox"/> INSTITUTIONAL					
<input checked="" type="checkbox"/> COMMERCIAL	<input checked="" type="checkbox"/> AGRICULTURAL	<input type="checkbox"/> INCINERATOR RESIDUE ONLY					
				39. TOTAL NUMBER OF EMPLOYEES ON SITE (Average daily) <span style="float:right">49 50</span>			
38. EQUIPMENT AVAILABLE (Average utilized daily)							
DRAGLINE OR SHOVEL-TYPE EXCAVATORS				40. HOURS OF DAILY OPERATION (On a 24-hour clock) BEGIN <span style="float:right">51 52</span> END <span style="float:right">53 54</span>			
SCRAPERS (Self-propelled)							
TRACTORS (Track or Rubber Tire) (Bulldozer or High Lift Loader)							
TRUCKS				41. NUMBER OF DAYS OPERATED PER WEEK <span style="float:right">55</span>			
OTHER <u>Road Maintainer</u> (Specify)				42. ANNUAL OPERATING COST (Including supervision and equipment maintenance) \$ <span style="float:right">56 57 58 59 60 61 62</span>			
OTHER <u>1-Tank Wagon</u> (Specify)							
				43. IS THIS A SANITARY LANDFILL? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			

44. IF SOURCES OTHER THAN REPORTER DESIGNATED IN ITEM 7 WERE UTILIZED IN COMPLETING THIS FORM, INDICATE BELOW THE SOURCES USED AND ITEM NUMBERS

NAME OF PERSON	TITLE	ORGANIZATION	ITEM NUMBER(S)
Joe Crea	Super. Refuse City		

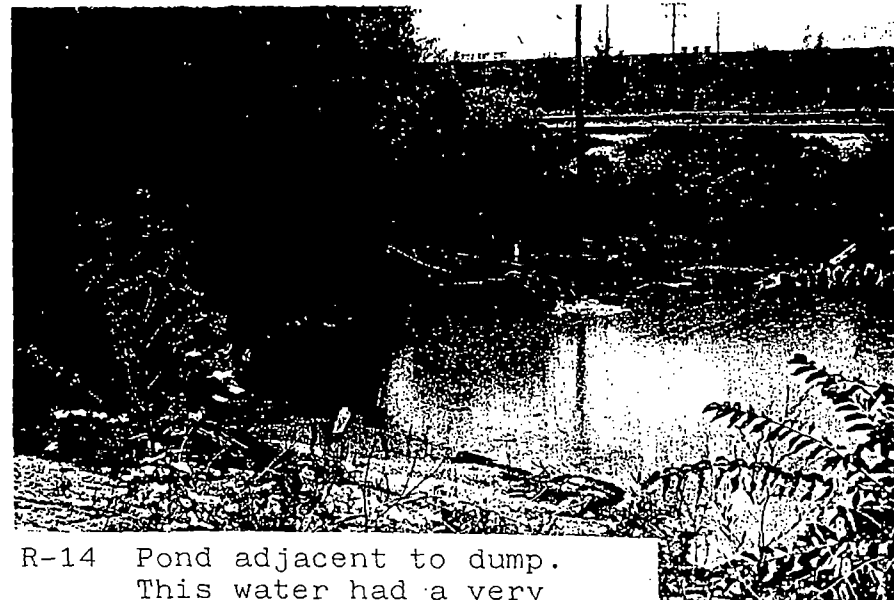




R-13

# PIGS EYE DUMP

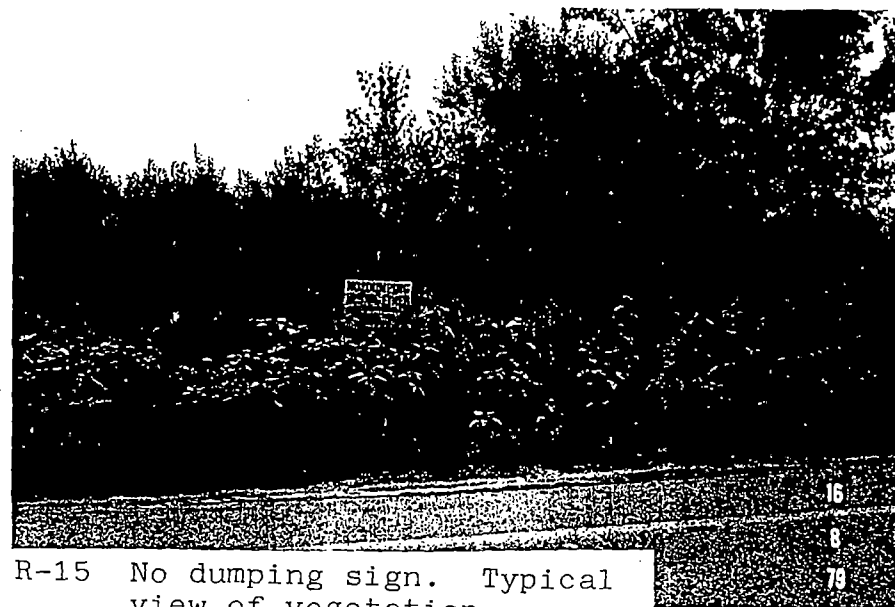
R-14



R-14 Pond adjacent to dump.  
This water had a very  
high specific conductance.

R-15

R-13 Old gate indicating  
landfill is closed



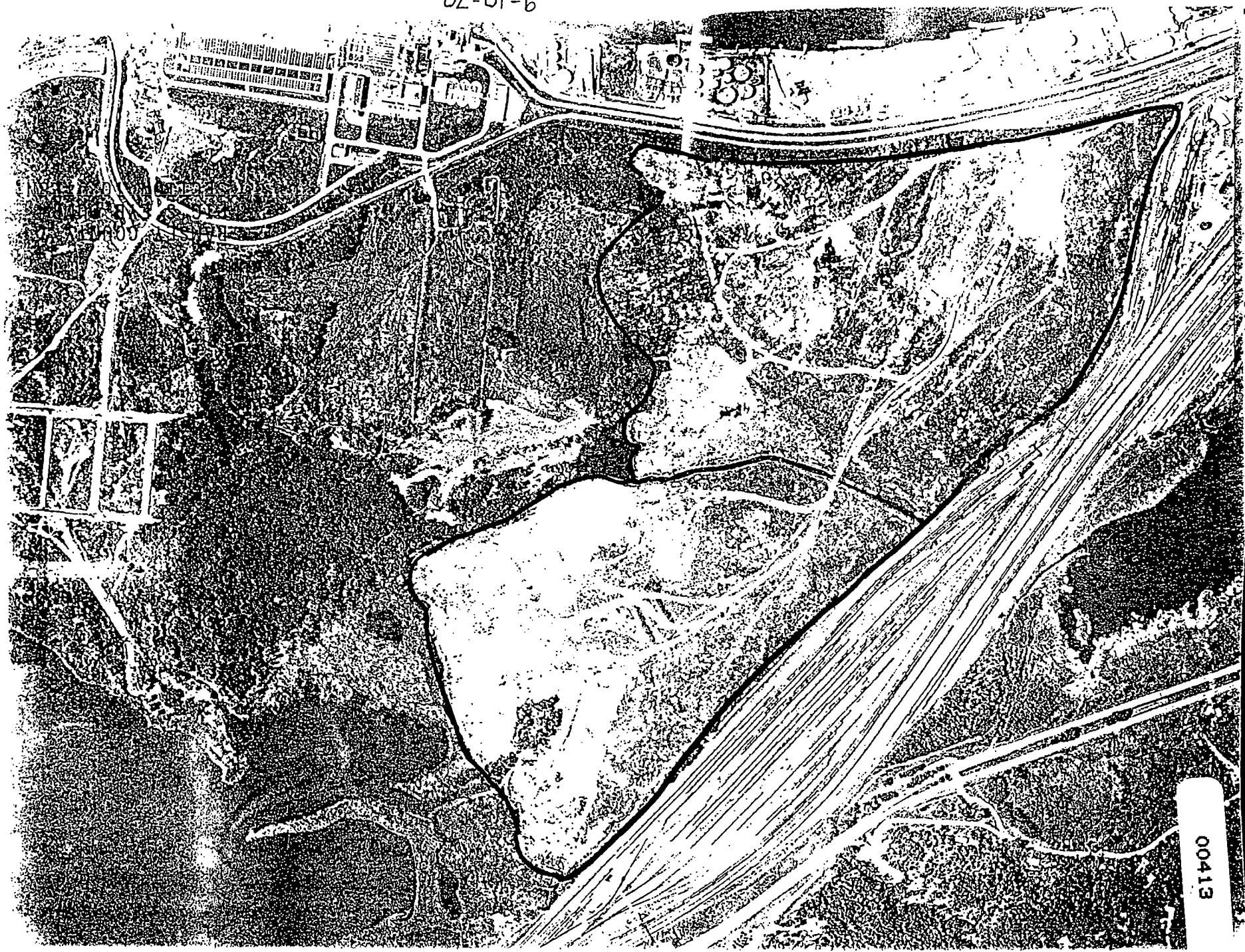
R-15 No dumping sign. Typical  
view of vegetation.

N

9-10-70

R22W

00413



COUNTY  
RAMSEY

NAME  
PIGS' EYE

LEGAL DESCRIPTION  
SEC 10  
T28N, R22W

00414

8/17/79

RECOMMENDATION:

Determine source of high  
conductivities in surface water  
found at this site

GENERAL INFORMATION

YEAR SITE CLOSED? \_\_\_\_\_  
SIZE OF DUMP IN ACRES \_\_\_\_\_  
IS THE ACCESS CLOSED? NO NEEDED? NO  
ARE NO DUMPING SIGNS POSTED? YES  
NEEDED? YES  
HAS THE DUMP BEEN RECENTLY USED? NO

COMMENTS:

High conductivity may be due to  
Morton Salt leachate; some  
parts of dump do not have  
any vegetation

COVER MATERIAL EVALUATION

IS ALL REFUSE COVERED? \_\_\_\_\_  
TOP YES FACE YES  
TYPE OF COVER MATERIAL some clay, sand  
and gravel.  
COMPACTABILITY UNDER FOOT? \_\_\_\_\_

LAND USE

HAS THE ACTUAL SITE OR ADJACENT  
LAND USE CHANGED SINCE 1970? NO  
ARE THERE BUILDINGS ON THE OLD DUMP  
SITE? Several trailer houses  
ARE THERE WELLS ON THE OLD DUMP  
SITE? NO  
DEPTH? \_\_\_\_\_

WATER QUALITY

LOCATION OF NEAREST WATER BODY Adjacent  
TYPE lake NAME pigs eye  
IS LEACHATE EVIDENT? yes, in ponds along  
west side of dump  
WOULD THE HIGH WATER MARK INDICATE THE  
DUMP IS SUBJECT TO FLOODING? YES  
SPECIFIC CONDUCTANCE see map  
pH \_\_\_\_\_  
FLOW, CFS \_\_\_\_\_  
OTHER \_\_\_\_\_

TYPE OF VEGETATION

NAME RELATIVE\*  
ABUNDANCE

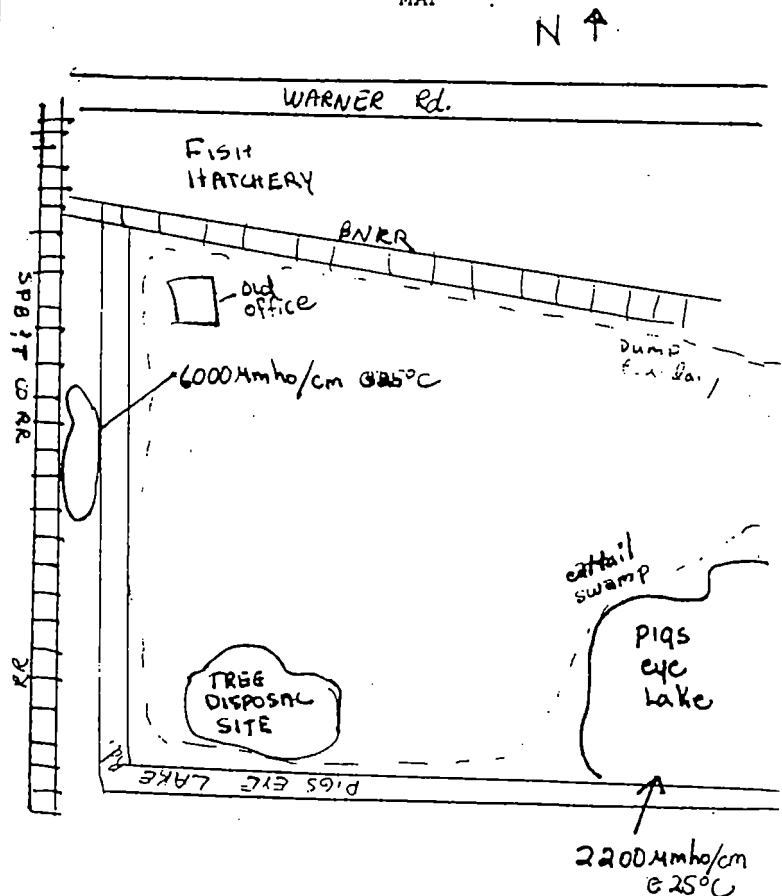
sow thistle A  
yellow field clover A  
rockcress A  
ragweed A  
rumex A  
Burdock M  
Horseweed A  
goats beard A  
Smartweed A  
Fleabane A  
Rhubarb M

>10' QUAKING ASPEN S  
10' QUAKING ASPEN M  
10' elms M  
Boxelder M

Some areas had no vegetation,  
but where present, typical of  
grassy meadow

\*A = abundant, M = moderate,  
S = scarce

MAP





METRO COUNCIL-COUNTY SOLID WASTE MEETING - Page 2

11/9/70

with some resistance insofar as extending the date for Pig's Eye to July. They kept reiterating that although the State PCA will set a guideline that the Metro Council has the prerogative of setting a tighter one, and they are trying to stick with the plan of closing down all non-conforming by July 1, 1971. This was somewhat new to me as I've always been under the impression before that the Metro Council was somewhat favorable to our position at Pig's Eye.

In talking with Carl Erickson from Washington County, I might point out that now that we have raised the fees to 45¢ per cubic yard, we are charging exactly the same as Washington County. I wasn't aware of this but Erickson says that since July 1, 1970 they also have been charging 45¢ per cubic yard. It seemed that when I mentioned that we had gone to 45¢ here in St. Paul, that this met with quite a favorable reaction from the other representatives from the counties and I feel that we are about at the right point with our fees.

The question was raised as to what each of the counties and the respective landfill sites should do with toxic wastes. The PCA has recommended that each landfill site have an area set aside for toxic wastes, however the Metro Council feels that this should be handled possibly at one site within each county. At this point Mr. MacCaulay suggested that he felt there were Federal funds available on this question of disposing of toxic wastes and he was going to take it up with Senator Mondale and Representative Karth's offices respectively.

It's not my point here to be critical, however it appears to me that insofar as the solid waste question is concerned in Ramsey County and St. Paul, we have a situation where for years the City of St. Paul has been solely responsible for the collection and the disposal of solid waste. Now Ramsey County has come into the picture and it's going to take considerable time before the county officials face up to this responsibility, as I see it. I honestly feel there is a great need in the county to assign someone that is knowledgeable from a technical standpoint, not political, to stay with the people from the State Pollution Control Agency, the Metro Council, and the other counties on this question of solid waste. It's perfectly obvious that everyone else is so far ahead of Ramsey County, that I'm sure it's almost embarrassing for Ramsey County officials to attend these meetings.

This is for file purposes.

*Daw*

DONALD E. NYGAARD  
ASST. ENGINEER OF MAINTENANCE SERVICES

DEN/em

cc: Richard A. Schnarr

*from Correspond.  
basket  
PCA+City*

10/28/70

recommended that an additional period of not to exceed three months (until October 1, 1972) be allowed if needed to complete the second lift filling over the area that now has the first lift, as we feel this would offer a greatly reduced likelihood of river pollution during later periods of high floods.

2. The City of St. Paul has assisted Ramsey County in the formulation of a County solid waste management plan and ordinance. The City of St. Paul has been instrumental in furnishing a site for the private transfer station being built in the Midway area and has assisted in the location of the baler plant installation. We are now preparing a new comprehensive ordinance to cover all aspects of storage, collection, handling, hauling and disposal of solid waste and this document will be submitted to the Pollution Control Agency upon completion.

The City of St. Paul now plans to discontinue the collection of garbage on July 1, 1971. After that date private property owners and private refuse haulers will collect, transfer, and dispose of all solid waste. The data gathered for our determination as to the adequacy of the refuse hauling service in St. Paul has now been completed and it is being submitted to the Pollution Control Agency concurrently with this report but under separate cover. The City is currently requesting an increase in landfill user fees to enable financing of better operations and final cover and phasing out.

3. With reference to the land use plan, letters were sent out to the owners of both of the landfill sites and replies have been received from all of them. Copies of these replies are attached. In general they verify what was stated in our earlier letters to you that Fish Hatchery will be put to open space, recreational and park-type use, whereas Pig's Eye will be generally developed for industrial purposes. Since ownership of these two sites is not vested with the City, we can only say how it is expected that they will be used. A copy of a landfill map is attached showing the ownership on both of the landfill sites.

Earlier this summer, July 30, 1970, the City Council approved a resolution setting aside \$5,000 for planning towards the closing of Pig's Eye and Fish Hatchery and the ultimate usage of the land. (Attached is a copy of Council Resolution No. 249907 approved July 30, 1970.) The St. Paul Parks Department through their landscape architectural section has already done considerable work in this area and we are enclosing a drawing of some of their ideas. They are continuing to work on this project.

Materials Delivered to Pig's Eye - 1971

Month	Yards Paid	Charitable Organizations	Parks	Public Works	Garbage	Total Yards	Cover Material
January	53,108	577	2,169	461	4,650	60,965	6,006
February	36,280	924	1,040	96	4,386	42,726	5,296
March	105,592	882	1,866	210	5,299	113,849	21,042
April	167,484	998	964	72	4,982	174,500	36,768
May	119,314	806	768	30	4,590	155,508	28,902
Totals	511,778	4,187	6,807	869	23,907	547,548	98,014

scavenge at Fish Hatchery. Not only is it objectionable that these individuals pick through the garbage and other refuse and create the "little piles" over the site, there is also the inherent danger that they are working in and around the dozers and other heavy equipment and there is potential danger in allowing them to work on the sites.

There are no special permits issued for the scavengers. It is recommended that along with the adjustment of fees at the landfills, the practice of allowing scavengers on the disposal sites be prohibited.

#### HOURS OF OPERATION

At the present time both Pig's Eye and Fish Hatchery landfills are open for business from 6:00 A. M. to 8:00 P. M. Monday through Saturday. Needless to say ours is the only landfill of any size in the metropolitan area that is open these kind of hours.

Control is very difficult when you are spread over a fourteen (14) hour day, six days a week with the closing hour as late as 8:00 P. M. The Supervisor of Refuse Collection works a standard workday and 40 hours a week, so there is much of the time that the landfill is open that there is no direct supervision, and, of course, this includes Saturday. Moreover, for many months out of a year it is "completely dark" long before the quitting time. The dozer operators work pretty much a standard 8-hour day and for the last two to two and one-half hours each day there is no dozer on the site, and part of this is because it is dark and the efficiency of the dozer with the dropoff considerably in spreading the refuse and covering it and compacting it. It should be pointed out at the present time that

LANDFILL FIELD PERSONNEL IN 1969

00527

SUPERVISOR

Crea, Joseph

7/16/63

LANDFILL CARETAKERS

Tester, Vern R.	12/30/67
Hagen, Henry (Deceased 1/31/70)	12/30/67
Tester, Harry C.	8/26/68
Ackerknecht, Charles	8/26/68
Lange, Walter B.	9/23/68
Wellington, Quinn	11/15/69
Sandquist, Robert G.	9/30/69 (P)
Cardinal, Robert V. (Resigned 1/5/70)	
Tackaberry, Donald (Resigned 1/5/70)	
Scott, Glen R.	2/2/70

SUMMER HELP

Conney, Frank P. (Field Clerk I)  
Hughes, John M. (Landfill Caretaker)  
Tomhave, Robert W. (Landfill Caretaker)

FIELD CLERK I

Bedbury, Myrl H.	11/3/67
Lenahan, Ben J.	9/23/68 (P)

MEO (TRACTOR OPERATOR II)

Taube, Albert	1/16/33
Chevrette, Armand	6/2/33
Sporney, John	4/6/53

POWER SHOVEL OPERATOR

Lindstrom, Edward A.	5/18/62
----------------------	---------

<u>MONTH</u>	<u>YARDS PAID</u>	<u>CHARITABLE ORG.*</u>	<u>PARKS</u>	<u>PUBLIC WORKS**</u>	<u>GARBAGE</u>	<u>TOTAL YARDS</u>
January	88,759	1,690	270	405	5,256	91,124
February	83,997	1,520	264	320	4,267	90,368
March	97,603	1,620	230	310	4,472	104,235
April	120,468	2,460	460	290	4,947	128,465
May	122,742	2,240	835	475	4,879	131,171
June	116,779	1,720	955	270	4,858	124,582
July	118,365	1,685	1,122	765	5,211	127,148
August	116,675	1,820	1,223	675	4,940	125,333
September	113,585	1,217	983	785	4,945	121,515
October	120,701	1,732	1,740	1,476	5,394	131,042
November	109,201	1,128	884	910	4,240	116,363
December	91,532	816	1,596	770	4,787	99,501
TOTALS	1,300,407	19,648	10,562	7,451	58,196	1,390,847

\* Union Gospel Mission  
Good Will Industries  
Salvation Army

\*\* Street Sweepings, etc.

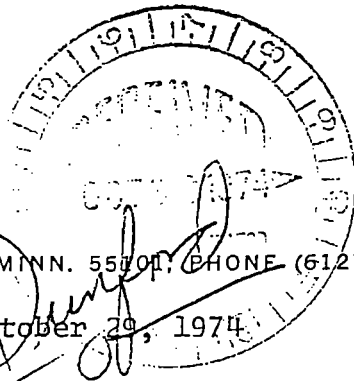


**PORT AUTHORITY OF THE CITY OF SAINT PAUL**

330 MINNESOTA BUILDING, 4TH AND CEDAR, SAINT PAUL, MINN. 55101, PHONE (612) 224-5686

00529

FOR  
30



October 20, 1974

Mr. Frank D. Marzitelli  
City Administrator  
City of St. Paul  
365 City Hall  
St. Paul, Mn. 55101

OCT 31 '74

RE: Cover of Pig's Eye Lake Landfill.

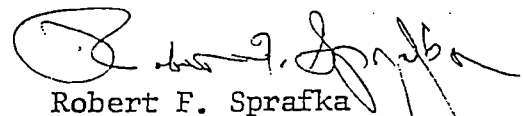
Dear Frank:

In 1972, it was agreed that the Port Authority would assume the obligation of completing the covering of the Pig's Eye Lake Landfill.

At this time, there is a quantity of excess material from excavations within the M.S.B. Wastewater Treatment Plant area which has been made available to the Port Authority.

The Port Authority will direct the disposal of this material to the covering of the yet uncovered areas to whatever extent possible with the quantity available at this time.

Very truly yours,

  
Robert F. Sprafka  
Executive Vice President

RFS:CER:mks

cc: Blaine Seaborn  
Solid Waste Division  
P.C.A.

ROBERT F. SPRAFKA  
EXECUTIVE VICE PRESIDENT

EUGENE A. KRAUT, C.I.D.  
ASSISTANT EXECUTIVE VICE PRESIDENT

DONALD G. DUNSHEE, C.I.D.  
DIRECTOR, INDUSTRIAL DEVELOPMENT

CLIFFORD E. RAMSTED  
CHIEF ENGINEER

ROSCOE C. BROWN  
CHIEF ACCOUNTANT

COMMISSIONERS  
JOHN L. SEGL  
PRESIDENT

PATRICK J. ROEDLER  
VICE PRESIDENT

LOUIS H. MEYERS  
SECRETARY

RICHARD E. ARETZ  
TREASURER

JOHN F. NASH

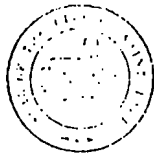
JOHN E. CHRISTENSEN

GEORGE W. WINTER

LEGISLATIVE ADVISOR

RAY W. FARICY, STATE REPRESENTATIVE

C.I.D. Certified Industrial Developer



# CITY OF SAINT PAUL

LEGAL DEPARTMENT

316 City Hall, St. Paul, Minnesota 55102

PAUL J. KELLY  
First Assistant

DANIEL A. KLAS  
Corporation Counsel

00550

THOMAS M. MOORE  
KENNETH J. FITZPATRICK  
PAUL F. McCLOSKEY, JR.  
JOSEPH E. CARTWRIGHT  
R. SCOTT DAVIES  
PIERRE N. REGNIER  
DANIEL L. FICKER  
KENNETH A. SKRIEN

September 30, 1970

Commissioner Robert Sprafka  
Department of Public Works

Commissioner Leonard Levine  
Department of Public Utilities

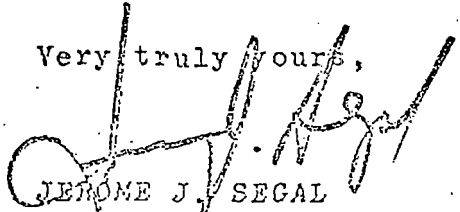
Re: Waste Disposal Programs

Gentlemen:

The City of Saint Paul has been served with a law suit pertaining to our compliance with Pollution Control Agency's regulations pertaining to our program for the landfills and determination of adequate waste disposal system in the city.

I enclose a copy of the pleadings and request that each of you assign personnel to work with our office in the preparation of our defense. Please notify me who is assigned to work on this matter.

Very truly yours,

  
JEROME J. SEGAL  
Special Assistant  
Corporation Counsel

enc.

*PCA lawsuit  
non compliance  
w. regs.*



REC'D: Date 9/14/70  
Mayor Charles P. McElroy (ju.)  
Mayor, City of St. Paul, Mi  
MAYOR'S OFFICE FILE NO. 70-9-52

RECORDED  
00551  
SEP 20 1970  
CORPORATION COUNSEL

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

FOURTH JUDICIAL DISTRICT

State of Minnesota, by the Minnesota  
Pollution Control Agency,

Plaintiff,

v.

NOTICE OF MOTION

City of St. Paul, Chicago, Milwaukee,  
St. Paul and Pacific Railroad Co.  
(a/k/a Milwaukee Road), and St. Paul  
Port Authority,

Defendants.

You will please take notice that plaintiff before  
Judge in Chambers at Special Term, at the Court House, in the  
City of St. Paul, in said County and State, on Wednesday, the  
14th day of October, 1970, at 3:15 o'clock p.m., will move the  
Court for a mandatory injunction compelling such action as described  
in the attached motion. Said motion will be made upon affidavit  
enclosed herein.

Dated:

DOUGLAS M. HEAD  
Attorney General

JEROME D. TRUHN  
Solicitor General

/s/ Lane Fridell  
LANE C. FRIDELL  
Special Assistant Attorney General  
Attorney for Plaintiff

160 State Office Building  
St. Paul, Minnesota 55101  
221-2961

STATE OF MINNESOTA MAYOR'S OFFICE FILE NO. 70-7-51 DISTRICT COURT  
COUNTY OF RAMSEY FOURTH JUDICIAL DISTRICT

State of Minnesota, by the  
Minnesota Pollution Control  
Agency,

Plaintiff,

v.

SUMMONS

City of St. Paul, Chicago, Milwaukee,  
St. Paul and Pacific Railroad Co.  
(a/k/a Milwaukee Road), and St. Paul  
Port Authority,

Defendants.

The State of Minnesota to the Above-Named Defendant:

You are hereby summoned and required to serve upon  
plaintiff's attorney an answer to the complaint which is herewith  
served upon you within twenty (20) days after service of this  
summons upon you, exclusive of the day of service. If you fail to  
do so, judgment by default will be taken against you for the  
relief demanded in the complaint.

STATE OF MINNESOTA

Dated:

DOUGLAS M. HEAD  
Attorney General

JEROME D. TRUHN  
Solicitor General

by s/Lane Fridell  
LANE FRIDELL  
Special Assistant Attorney General

Attorneys for Plaintiff  
160 State Office Building  
St. Paul, Minnesota 55111  
Tel: 221-2961 (612)

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

FOURTH JUDICIAL DISTRICT

State of Minnesota, by the  
Minnesota Pollution Control  
Agency,

Plaintiff,

v.

COMPLAINT

City of St. Paul, Chicago, Milwaukee,  
St. Paul and Pacific Railroad Co.  
(a/k/a Milwaukee Road), and St. Paul  
Port Authority,

Defendants.

The State of Minnesota, by and through its Pollution Control Agency, acting pursuant to its statutory powers as set forth in Minnesota Statutes, Chapter 115 and 116 to protect the health and welfare of the residents of the State of Minnesota from pollution of the air, water, and land of the State, brings this action in the public interest and in the name of the State of Minnesota and for its Complaint alleges that

## COUNT 1

1. Plaintiff is an agency of the State of Minnesota and is charged by Minnesota Statutes 1969, Chapters 115 and 116, with the duty to administer and enforce laws and the administrative regulations relating to air, water, and land pollution, which laws and regulations have general application throughout the state.

2. Defendant City of St. Paul is a Minnesota city of the first class established under the laws of the State of Minnesota, with its principal municipal offices located at 15 West Kellogg Boulevard, St. Paul, Minnesota.

3. Defendant Milwaukee Road is a foreign corporation engaged in the transportation and other enterprises in the State of Minnesota, with its principal division offices located at 270 Sibley Street, St. Paul, Minnesota. Defendant St. Paul Port Authority is a political subdivision of the State of Minnesota established under laws of the State of Minnesota, with its principal place of business located in the Minnesota Building, St. Paul, Minnesota.

4. Defendant City of St. Paul operates two refuse and rubbish disposal sites in the vicinity of Pigs Eye Lake Adjacent to the Mississippi River. The Pigs Eye landfill disposal site, which is an approximate 300-acre site, is located north of Pigs Eye Lake on the easterly side of the Mississippi River. The Fish Hatchery landfill disposal site, which is an approximate 35-acre site, is located just off Warner Road adjacent to the State Conservation Department Fish Hatchery and across the Milwaukee Road - Burlington Northern Railway tracks from the Pigs Eye landfill disposal site. Both landfill disposal sites are leased by the Defendant City of St. Paul. The Pigs Eye landfill site is owned by the Defendant St. Paul Port Authority and the fish hatchery landfill site is owned by the Defendant Milwaukee Road.

5. Defendants, both owner and lessees, through the operation of the Pigs Eye landfill site and the Fish Hatchery landfill site, are presently, and have been in the past, polluting the air, water and land of the State of Minnesota in violation of Minnesota Statutes, Chapter 116, and, more specifically, Minnesota Statutes, Section 116.08, and Minnesota Pollution Control Agency Regulation Solid Waste Disposal Regulation, and, more specifically, Minnesota Regulation SW 10, and that reports as required have not been submitted to the Pollution Control Agency.

COUNT II

6. Plaintiff realleges paragraphs 1 and 2 of Count I.

7. Defendant City of St. Paul provides refuse collection service for its citizens.

8. Defendant City of St. Paul is presently, and has been in the past, in violation of Minnesota Statutes, Chapter 116, and, more specifically, Minnesota Statutes, Section 116.08, and Minnesota Pollution Air Quality Regulations, and, more specifically, Minnesota Regulation APC 8, as amended June 5, 1970, and that reports as required have not been submitted to the Pollution Control Agency.

WHEREFORE, Plaintiff seeks relief as follows:

1. An order requiring the Defendants as operator and/or owners of the Pigs Eye landfill disposal site and the Fish Hatchery landfill disposal site to comply with Minnesota Statutes 116 and Minnesota Pollution Control Agency solid waste regulations, and, more specifically, Minnesota Regulation SW 10, by submitting to the Pollution Control Agency within five (5) days of the date of hearing a report setting forth a program and a plan for compliance with the solid waste regulations of the State of Minnesota.

2. An order requiring the Defendant City of St. Paul to comply with Minnesota Pollution Control Agency air quality regulations, and more specifically Minnesota Regulation APC 8, by making a determination within seven (7) days of the date of hearing whether adequate refuse collection service is available within its jurisdiction, and to report within ten (10) days such determination to the Minnesota Pollution Control Agency with such report containing such information as is required by law and regulation.

3. An order that defendants shall be permanently enjoined from any further violation of Minnesota Statutes and Minnesota Pollution Control Regulations, and specifically that Minnesota Regulation SW 10 be complied with in its entirety by July 1, 1972, and specifically that Minnesota Regulation APC 8 be complied with in its entirety, and specifically that the defendant City of St. Paul provide adequate refuse collection service for its citizens by March 5, 1971.

4. Costs and disbursements as incurred by the Plaintiff and approved by the Court.

Dated:

STATE OF MINNESOTA

DOUGLAS M. HEAD  
Attorney General

JEROME D. TRUHN  
Solicitor General

/s/ Lane C. Fridell

by \_\_\_\_\_  
LANE FRIDELL  
Special Assistant Attorney General

Attorneys for Plaintiff  
160 State Office Building  
St. Paul, Minnesota 55101  
Tel: (612) 221-2961

Mayor Charles P. McEntee (jr.)  
Mayor, City of St. Paul, Minn.

MAYOR'S OFFICE FILE NO. 70-9-53

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

FOURTH JUDICIAL DISTRICT

-----  
State of Minnesota, by the Minnesota  
Pollution Control Agency,

Plaintiff,

MOTION FOR TEMPORARY  
INJUNCTION AND ORDER  
TO COMPEL PERFORMANCE

v.

City of St. Paul, Chicago, Milwaukee,  
St. Paul and Pacific Railroad Co  
(A/k/a Milwaukee Road), and St. Paul  
Port Authority,

Defendants.  
-----

COMES NOW THE PLAINTIFF in the above entitled action  
and respectfully reports to the Court:

Pursuant to Rule 65, Rules of Civil Procedure, and  
Minnesota Statutes Chapter 116.08, Subd. 2, Plaintiff moves this  
Court for a temporary injunction and order to compel performance  
against Defendants in the following nature:

1. Defendants City of St. Paul, Milwaukee Road and  
St. Paul Port Authority to be restrained and enjoined from  
violating Minnesota Pollution Control Agency regulations and,  
specifically, Minnesota Regulation WS 10 in the operation of  
solid waste disposal sites as alleged in the complaint and other  
documents incorporated therein; and, further, to submit such  
reports to the Minnesota Pollution Control Agency as required by  
law and regulation as alleged in the complaint and other documents  
incorporated therein.

2. Defendant City of St. Paul to be restrained and enjoined from violating Minnesota Pollution Control Agency regulations and, specifically, Minnesota Regulation APC 8, as amended June 5, 1970; and, further, to submit such reports to the Minnesota Pollution Control Agency as required by law and regulations as alleged in the complaint and incorporated therein.

This motion is based on the records, files and proceedings herein; Minnesota Statutes, Chapters 115 and 116, specifically, Minnesota Statutes 116.08; Minnesota Pollution Control Agency solid waste and air quality regulations, specifically, Minnesota Regulations WS 10 and APC 8, together with the attached affidavits and exhibits.

Dated:

DOUGLAS M. HEAD  
Attorney General

JEROME D. TRUHN  
Solicitor General

---

LANE C. FRIDELL  
Special Assistant Attorney General  
Attorney for Plaintiff

160 State Office Building  
St. Paul, Minnesota 55101  
221-2961



STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

FOURTH JUDICIAL DISTRICT

-----  
State of Minnesota, by the Minnesota  
Pollution Control Agency,

Plaintiff,

v.

AFFIDAVIT IN SUPPORT OF  
MOTION

City of St. Paul, Chicago, Milwaukee,  
St. Paul and Pacific Railroad Co.  
(a/k/a Milwaukee Road), and St. Paul  
Port Authority,

Defendants.  
-----

John P. Badalich, being first duly sworn deposes and says  
that he is the Executive Director of the Minnesota Pollution Control  
Agency, plaintiff in the subject action.

That in the ordinary course of business of the PCA, he has  
administrative responsibility for M.S. 1969, Chapters 115 and 116  
and pollution control regulations.

That PCA solid waste regulations, and specifically Minnesota  
Regulation MS 10 require owners and/or operators of nonconforming solid  
waste sites and facilities to conform to solid waste regulations or  
submit to the PCA, not later than six months after the effective date  
of the regulation (February 10, 1970), a report setting forth a plan  
for compliance with solid waste regulations. "Included in the report  
shall be a time schedule for submission of plans and specifications  
and a time schedule requiring commencement and completion of construction

of necessary operations or improvements."

That the defendants operate and/or own Pig's Eye landfill and Fish Hatchery landfill site which are nonconforming solid waste disposal sites within the definition of PCA solid waste regulations.

That the defendants did not file such report as required by law and regulation by August 10, 1970, and that such report has not yet been filed in violation of Minnesota law and regulation.

That PCA air quality regulations and specifically Minnesota Regulation APC 8 as amended requires that the defendant City of St. Paul within three months of the effective date of the regulation (June 5, 1970) "to determine whether adequate refuse collection service is available within its jurisdiction. . .and to report said determination to the Agency." Further, that such determination as to availability of refuse collection service shall be reported in writing to the Agency within ten days after said determination is made, and that such report shall describe the number, kinds and ownership of refuse collection equipment available, the incidence and nature of refuse collection service available, and such other information that the PCA has requested in a letter dated July 21, 1970.

That Minnesota Regulation APC 8 as amended requires the defendant City of St. Paul to provide adequate refuse collection service by March 5, 1971, which is six months from the last date at which the determination of availability of refuse collection service could be made.

That the defendant City of St. Paul did not report in writing a determination of the availability of refuse collection service by September 5, 1970, and that no report has yet been made to the PCA.

That the defendant City of St. Paul did not submit in writing a report describing the number, kinds and ownership of refuse collection equipment available, the incidence and nature of refuse collection available, and such other information that the PCA has requested in a letter dated July 21, 1970, by September 5, 1970, and that no report has yet been made to the PCA.

That the affiant has fully and fairly stated the law and the facts in the subject case, and believes such to be true to the best of his knowledge.

Subscribed and sworn to before  
me this 25th day of Sept.  
1970.

/s/ John P. Badalich  
JOHN P. BADALICH

/s/ Sheilah Dedrickson  
Notary Public

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT

State of Minnesota, by the  
Minnesota Pollution Control  
Agency,

Plaintiff,

vs.

AFFIDAVIT

City of St. Paul, Chicago,  
Milwaukee, St. Paul and  
Pacific Railroad Co. (a/k/a  
Milwaukee Road), and St.  
Paul Port Authority,

Defendant.

---

STATE OF MINNESOTA )  
COUNTY OF RAMSEY ) ss.

Richard A. Schnarr, Being first duly sworn, deposes  
and says that he is the Chief Engineer, Department of Public  
Works, City of Saint Paul, a municipal corporation of the State  
of Minnesota, one of the defendants in the above-entitled action.

The City of Saint Paul, under and pursuant to various  
leases and permits, from owners of subject land, operates its  
Pigs Eye Landfill and Fish Hatchery Landfill within the limits of  
the City of Saint Paul, and has done so for many years.

In regards to the City's Landfills, a letter dated  
December 30, 1969, addressed to the St. Paul City Council and  
signed by Floyd J. Forsberg, P. E., Director, Division of  
Solid Waste, State of Minnesota Pollution Control Agency, a copy  
of which is attached hereto, marked "Exhibit A", and incorporated

herein by reference, stated "Until such time as SW (Minnesota Pollution Control Agency's Solid Waste Regulation) 10 has that binding effect it will be necessary to adopt an interim procedure for regulating sanitary landfills. This letter will therefore serve as a temporary authorization, enabling you to continue use of your present landfill facilities until the agency has had an opportunity act upon your request to operate under the new regulations, as provided in SW 10.\*\*\*\*"

The next communication that the City of Saint Paul received from the Pollution Control Agency was a letter dated July 1, 1970, a copy of which letter is attached hereto, marked "Exhibit B" and incorporated herein by reference. This letter included the PCA's evaluation of the City's Landfills and stated that the landfills were not feasible for sanitary landfill. Among other things, this letter stated as follows: "If no application is received by the Agency by August 10, 1970, or compliance with these regulations can not be achieved, we will be forced to initiate appropriate legal action to insure compliance with all statutes, rules and regulations governing your facilities."

Your affiant believes that the City of Saint Paul's Landfills cannot be brought into compliance so as to meet the objections set forth in the above referenced evaluation because the PCA does not permit landfills within a river flood plain. The City's landfills are within the Mississippi River Flood plain according to the evaluation of the PCA as set forth in their letter dated July 1, 1970 (Exhibit B).

That in the belief that the Pollution Control Agency, pursuant to Chapter 847, Laws of 1969, and Section 116.07 of Minnesota Statutes, had authority and discretion to grant a variance and/or a permit to the City of Saint Paul for its landfills, your affiant transmitted a request to Mr. John P. Badalich, Executive Director, Minnesota Pollution Control Agency, dated August 14, 1970 (a copy of which is attached hereto, marked "Exhibit C", and incorporated herein by reference) and asked that the Agency grant to the City of Saint Paul a variance or permit to operate the two landfills until such time as the city could \*\*\*complete these landfills to a more satisfactory permanent elevation, will grant additional time for site selection, and preparation of needed replacement disposal areas for such large waste volumes, will serve during the interim while new disposal methods (baling) and facilities (transfer stations) are being constructed or perfected and will assist in a more orderly transition for the private refuse hauling industry from these long-time used locations to more suitable landfill sites providing greater environmental protection."

The report and information transmitted to the PCA by your affiant on August 14, 1970, was intended to comply with the Pollution Control Agency's regulations and applicable state laws. The City of Saint Paul was about 4 days late in sending in this report under SW 10, and your affiant has some doubt that SW 10 is applicable to the Saint Paul landfills because, according to the PCA's evaluation, the landfills can never conform to the PCA standards and regulations.

Following my letter to Mr. Badalich of August 14, 1970 (Exhibit C), a meeting was held in my office between myself and Mr. Floyd J. Forsberg, Director, Division of Solid Waste, Pollution Control Agency. Mr. Forsberg acknowledged receiving my letter of August 14, 1970 (Exhibit C) and stated that the PCA has now determined that it must have certain "more specific plans for Pig's Eye Landfill".

Pursuant to this request of Mr. Forsberg's, and to supplement our application for variance and/or permit from the PCA, a second letter (dated September 16, 1970, attached hereto, marked "Exhibit D" and incorporated herein by reference) was delivered to Mr. Badalich, Executive Director of the Minnesota Pollution Control Agency, wherein I endeavored to supply the PCA with the requested further information pertaining to the City's Pig's Eye Landfill.

No further word was received from the PCA in regards to the City's Landfills until your affiant read the newspaper reports concerning a meeting of the Pollution Control Agency, held on Monday, September 14, 1970, and which reports stated that the PCA had authorized the Attorney General to bring a law suit against the City of Saint Paul because the City had not supplied the Agency with the necessary reports and information concerning its landfills.

On September 24, 1970, a further meeting was held in my office with Mr. Floyd J. Forsberg concerning the City's landfill and Mr. Forsberg stated that his Agency needed further clarification to the information sent to the PCA on September 16, 1970. Mr. Forsberg was asked to indicate in writing what additional infor-



**PORT AUTHORITY OF THE CITY OF SAINT PAUL**

330 MINNESOTA BUILDING, 4TH AND CEDAR, SAINT PAUL, MINN. 55101, PHONE (612) 224-5686

July 31, 1972


The Honorable Lawrence D. Cohen  
Mayor of the City of Saint Paul  
City Hall and Court House  
Saint Paul, Minnesota 55102

Dear Mayor Cohen:

On February 21, 1967, the Port Authority of the City of Saint Paul entered into a license agreement with the City allowing the City to operate an all purpose dump and landfill operation according to the sanitary land fill method. The City has ceased operations and the land use purposes specified in the license agreement have now been accomplished.

It is my understanding that the City will be required to add a 2-inch covering to the fill material currently on the premises. As you know, the Port Authority is attempting to locate a coal wharf terminal facility in this area. Construction of this facility may require the removal of certain amounts of said landfill and will require dredging operations which would provide the necessary covering for the landfill at no cost to the City. I am, therefore, proposing that we terminate the license agreement by means of the letter of Termination attached hereto and the Port Authority will proceed to supply and place such additional covering materials as are deemed necessary at such time as construction of the coal wharf terminal facility commences.

Very truly yours,

  
Frank D. Marzitelli  
Executive Vice President

FDM:mks

cc: Port Authority Board of Commissioners  
R. Scott Davies, Attorney

FRANK D. MARZITELLI  
EXECUTIVE VICE PRESIDENT

EUGENE A. KRAUT  
ASSISTANT EXECUTIVE VICE PRESIDENT

GREGG BECKETT  
CHIEF ENGINEER

COMMISSIONERS

RICHARD C. RADMAN  
PRESIDENT

DEAN MEREDITH  
VICE PRESIDENT

LOUIS H. MEYERS  
SECRETARY

JOHN F. NASH  
TREASURER

RICHARD E. ARETZ

VICTOR J. TEDESCO

JOHN L. SKOL

LEGISLATIVE ADVISORS

JOHN TRACY ANDERSON, STATE SENATOR

RAY W. FARICY, STATE REPRESENTATIVE





00768

**PORT AUTHORITY OF THE CITY OF SAINT PAUL**

330 MINNESOTA BUILDING, 4TH AND CEDAR, SAINT PAUL, MINN. 55101, PHONE (612) 224-5686

July 31, 1972

The Honorable Lawrence D. Cohen  
Mayor of the City of Saint Paul  
City Hall and Court House  
Saint Paul, Minnesota 55102

**NOTICE OF TERMINATION  
PIGS EYE LAND FILL AREA**

Dear Mayor Cohen:

In accordance with the terms and provisions of Paragraph 6 of that certain license agreement entered into the 21st day of February, 1967, between the Port Authority of the City of Saint Paul and the City of Saint Paul, the Port Authority hereby gives notice to the City that from and after the 1st day of October, 1972, the license agreement herein above referenced pertaining to dump and landfill operations on the premises therein described is terminated. Pursuant to said agreement the premises from and after such date, including the dump and landfill material placed thereon by City during the term of the agreement, shall become the property of the Port Authority.

Very truly yours,

  
Frank D. Marzitelli  
Executive Vice President

FDM:mks

cc: Port Authority Board of Commissioners  
R. Scott Davies, Attorney

FRANK D. MARZITELLI  
EXECUTIVE VICE PRESIDENT

EUGENE A. KRAUT  
ASSISTANT EXECUTIVE VICE PRESIDENT

GREGG BECKETT  
CHIEF ENGINEER

COMMISSIONERS

RICHARD C. RADMAN  
PRESIDENT

DEAN MEREDITH  
VICE PRESIDENT

LOUIS H. MEYERS  
SECRETARY

JOHN F. NASH  
TREASURER

RICHARD E. ARETZ

VICTOR J. TEDESCO

JOHN L. BEGL

LEGISLATIVE ADVISORS

JOHN TRACY ANDERSON, STATE SENATOR

RAY W. FARICY, STATE REPRESENTATIVE

LICENSE AGREEMENT

THIS AGREEMENT, made as of the 21<sup>st</sup> day of February, 1967, by and between PORT AUTHORITY OF THE CITY OF SAINT PAUL, a Body Politic and corporate in the State of Minnesota, hereinafter designated "Port Authority", and the CITY OF SAINT PAUL, a municipal corporation of the State of Minnesota, hereinafter designated the "City",

## WITNESSETH:

That the said Port Authority, in consideration of the sum of One Dollar (\$1.00) to it in hand paid by said City, the receipt and sufficiency whereof are hereby acknowledged, and in consideration of the faithful performance by said City of its covenants hereinafter set forth, hereby grants unto said City the right, license and privilege to enter upon and to use, for an all purpose dump and land-fill operations of said City the following described lands of said Port Authority situate in the County of Ramsey and State of Minnesota, to-wit:

Except part northeast of a line drawn from the northwest corner of southwest 1/4 of northeast 1/4 to the southeast corner of said 1/4 section the south 1/2 of the northeast 1/4 of Section 10, Township 28 North, Range 22 West, all that part of the north 1/2 of the northwest 1/4 of Section 10, Township 28 North, Range 22 West, lying southwesterly of a straight line extending from the northwest corner to the southeast corner of said north 1/2 of the northwest 1/4;

Also, the north 54.65 acres of the south 1/2 of the northwest 1/4 of said Section 10, excepting therefrom the south 5 acres of the west 1/2 of the said north 54.65 acres of the south 1/2 of the northwest 1/4 of said Section 10, containing 89.65 acres, more or less;

provided that such all purpose dump and land fill operations shall be according to the so-called Sanitary Fill Method with the dump and

land fill deposited in layers not more than seven feet (7') in depth and covered at the end of each day with earth, rubble or other waste material; and provided that such grant of said right, license and privilege hereunder, by said Port Authority unto said City, shall be subject to said City's observance and performance of the following requirements and conditions:

1. That said all purpose dump and land fill operations by said City, hereunder, shall not result in an increase of the elevation of the subject hereinabove described premises higher than 70<sup>4</sup> feet above mean sea level computed according to City datum; and that said City shall supervise said all purpose dump and land fill operations and the subject premises when the same shall be used for such purposes by said City hereunder.
2. That said City shall maintain a water fire line for fire protection and provide and maintain an outlet for any drainage lines which may empty into said all purpose dump and land fill, imposed by said City upon said premises, hereunder; and that said City shall, as such shall become necessary, extend said water fire lines for protection in said all purpose dump and land fill area; that said water fire line shall be installed by and at the expense of said City.
3. That said City shall conduct its operations, hereunder, so as to permit the installation and maintenance of a roadway; and that said City shall perform all of its operations, hereunder, at its sole cost and expense and subject to supervision and direction by said Port Authority consistent herewith.
4. That said City shall indemnify and save harmless said Port Authority, its successors and assigns, from all liability, cost and expense on account of injury to property or injury to or death of any person which may be caused or occasioned by reason of the work performed by said City on the hereinabove described premises of said Port Authority, hereunder.
5. That said City shall not allow the dumping of large metal objects, such as car bodies, refrigerators, stoves, etc., demolition material larger than one cubic foot in volume, and further shall not allow disposal of stumps or trees that are larger than four (4) inches in diameter upon these premises.

6. That this Agreement shall extend to and bind said parties and their respective successors and assigns provided, however, that said Port Authority, without liability for damages therefor, may terminate this Agreement at any time by giving said City sixty (60) days notice in writing of such termination, specifying the effective date of the same; and that the all purpose dump and land fill material placed upon said Port Authority's premises, by said City, hereunder, shall become the property of said Port Authority; and provided further that said City, except as respects any liability theretofore incurred, hereunder, without liability for damages therefor, may terminate this Agreement at any time by giving to said Port Authority sixty (60) days notice in writing of such termination and specifying the date of the same.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the day and year first above written.

In Presence Of:

PORT AUTHORITY OF THE  
CITY OF SAINT PAUL

By: [Signature]  
President

[Signature]  
Secretary

CITY OF SAINT PAUL  
/s/

By: Thomas R. Byrne  
Mayor

/s/ Robert F. Peterson  
Commissioner of Public Works

/s/ Harry Marshall  
City Clerk

Form Approved:

[Signature]  
Assistant Corporation Counsel

Countersigned:

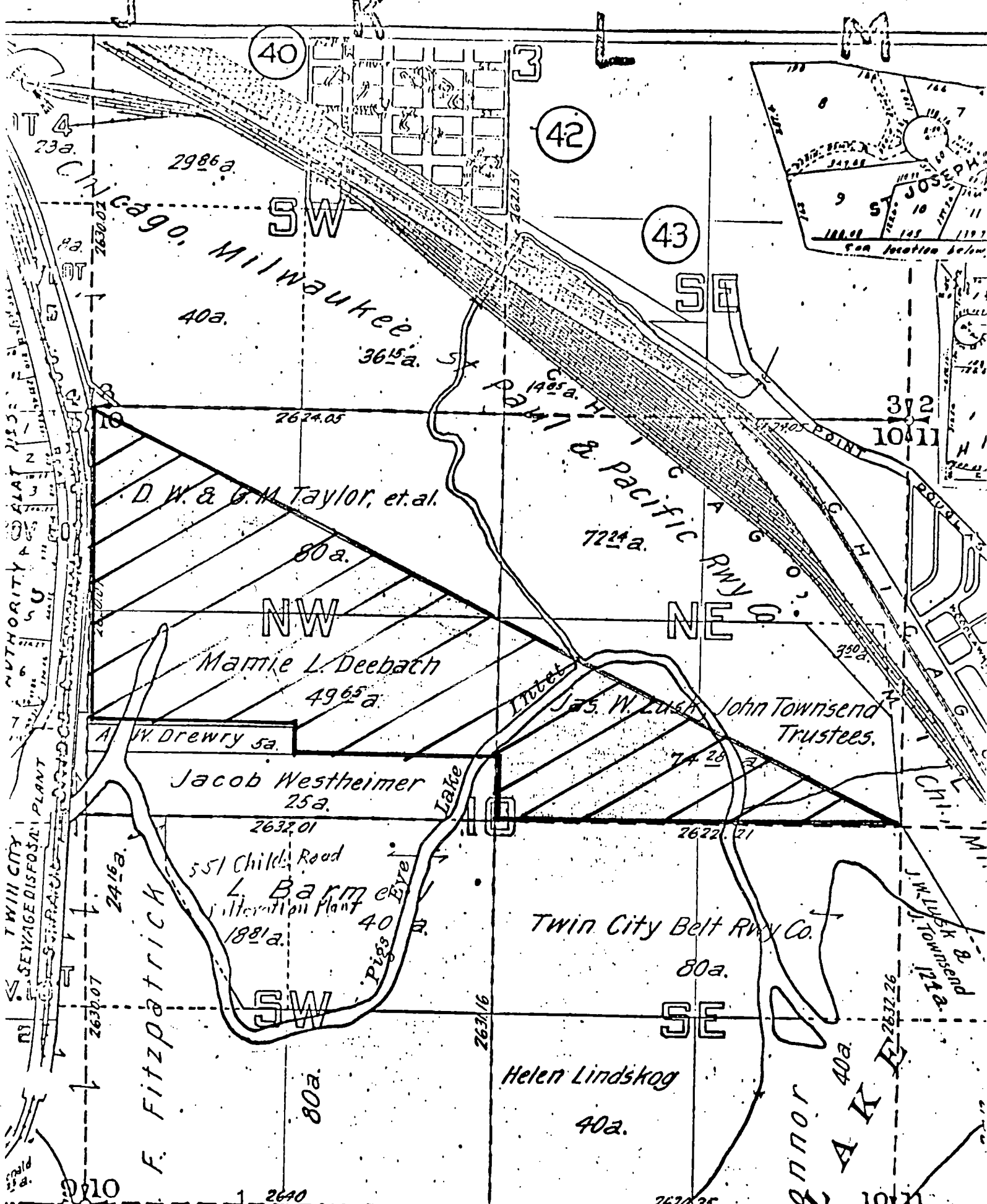
/s/ Joe Mitchell  
City Comptroller

Approved as to form and execution  
this 3rd day of March, 1967.

/s/ Paul F. Kelly  
Assistant Corporation Counsel

# R A N G E

00772



CITY OF ST. PAUL  
OFFICE OF THE CITY CLERK  
COUNCIL RESOLUTION—GENERAL FORM

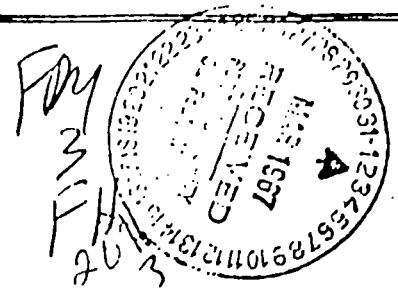
COUNCIL  
FILE

00773

23229

PRESENTED BY  
COMMISSIONER

DATE



RESOLVE, That the proper city officers of the City of Saint Paul are hereby authorized and directed to enter into an agreement with the Port Authority of the City of Saint Paul concerning the use of parts of the Pigs Eye Lake area for sanitary landfill operations, as more particularly set forth in said agreement.

MAR 2 1967

COUNCILMEN

Yeas Nays

Carlson

Dalglish

Holland

Meredith

Peterson

Tedesco

Mr. President, Byrne

Adopted by the Council \_\_\_\_\_ 19\_\_

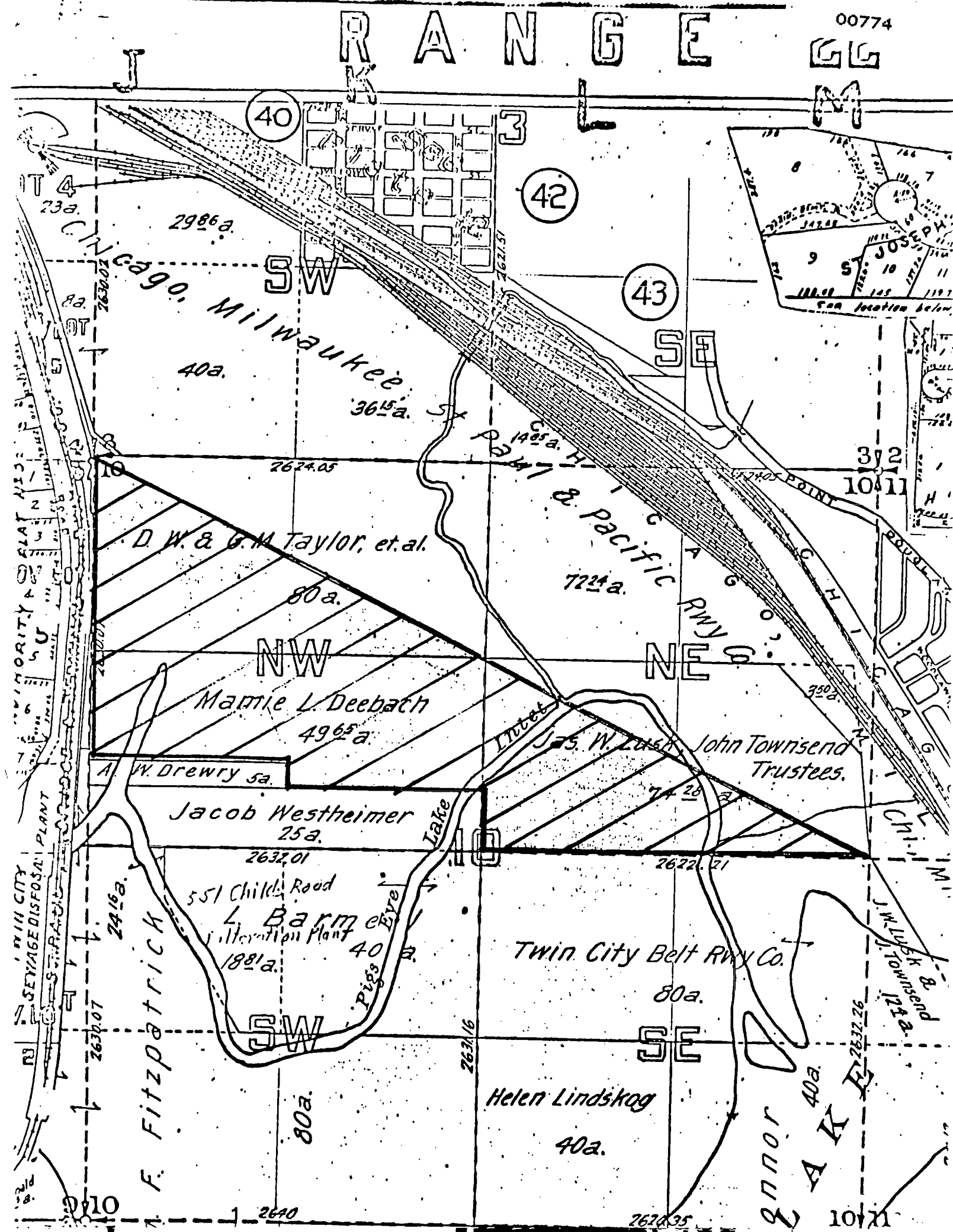
MAR 2 1967

Approved \_\_\_\_\_ 19\_\_

6 In Favor

0 Against

Mayor



ROUGH DRAFT

NOTICE OF TERMINATION*Dear Mayn Cohen*

In accordance with the terms and provisions of Paragraph 6 of that certain license agreement entered into the 21st day of February, 1967, between the Port Authority of the City of Saint Paul and the City of Saint Paul, the Port Authority hereby gives notice to the City that from and after the 1st day of Oct, 1972, the license agreement herein above referenced pertaining to dump and landfill operations on the premises therein described is terminated. Pursuant to said agreement the premises from and after such date, including the dump and landfill material placed ~~at~~ thereon by City during the term of the agreement, shall become the property of the Port Authority.

FRANK D. MARZITELLI  
Executive Vice President

*Frank: you should obtain Board authorization  
for your protection*

*M. J. Day  
7-31-72*

*Radman - OK*

*Meyers - OK*

*Meredith - OK*

*Vash - OK*





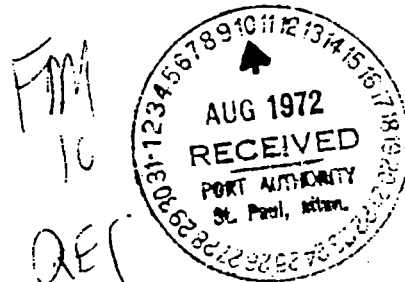
## CITY OF SAINT PAUL

OFFICE OF THE MAYOR

LAWRENCE D. COHEN  
MAYOR

August 8, 1972

Mr. Frank D. Marzitelli  
Executive Vice President  
Port Authority of the City of Saint Paul  
330 Minnesota Building  
Saint Paul, Minnesota



Re: Notice of Termination  
Pigs Eye Landfill Area

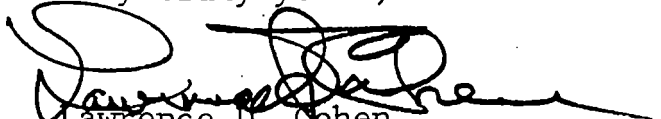
Dear Mr. Marzitelli:

I am in receipt of your correspondence dated July 31, 1972 indicating that the Port Authority is willing to terminate the license agreement for operation of the Pigs Eye Landfill under agreement dated the twenty-first day of February, 1967 between the Port Authority of the City of Saint Paul and the City of Saint Paul.

In accordance with the terms and provisions of paragraph 6 of that agreement, the City of Saint Paul hereby waives the time provisions with respect to notice and requests that the Port Authority immediately implement the termination of the license agreement.

It is my understanding that this will result in the Port Authority's assuming the responsibility to supply and place any additional covering materials deemed necessary by state law or the regulations of the Department of Natural Resources and the Pollution Control Agency. It is further my understanding that these duties will be assumed regardless of the outcome of the location of the proposed coal wharf terminal facility in this area. We both understand that the construction of such a facility is subject to approval by affected local agencies having jurisdiction.

Very truly yours,

  
Lawrence D. Cohen  
Mayor

LDC:jr



CITY OF SAINT PAUL  
OFFICE OF THE MAYOR

LAWRENCE D. COHEN  
MAYOR

September 30, 1974

OCT - 2 1974

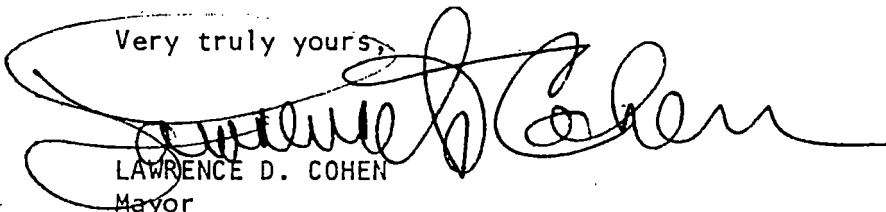
DEPTS.

Mr. Robert F. Sprafka  
Executive Vice President  
Port Authority of Saint Paul  
330 Minnesota Building  
Saint Paul, Minnesota 55101

Dear Mr. Sprafka:

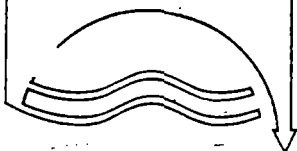
The City of Saint Paul has discontinued the Pig's Eye Landfill and the Old Fish Hatchery Landfills. The Port Authority, by Agreement dated February 21, 1967, authorized the City of Saint Paul to enter on a portion of the Port Authority property for the purpose of conducting a public sanitary landfill. This Agreement provided that either the City or the Port Authority may terminate the Agreement by giving sixty (60) days written notice thereof to the other party. In accordance with this Agreement and authority granted to me by the Saint Paul City Council, I hereby notify you that the City of Saint Paul does hereby terminate that certain license Agreement between the Port Authority and the City of Saint Paul, dated February 21, 1967, sixty (60) days from and after the date of this letter.

Very truly yours,

  
LAWRENCE D. COHEN  
Mayor

cc: Frank Marzitelli, City Administrator  
Daniel Dunford, Dir., Department of Public Works  
Robert Trudeau, Dir., Department of Finance

METROPOLITAN  
WASTE  
CONTROL  
COMMISSION



222-8423  
350 Metro Square Bldg  
St Paul 55101

00993

June 10, 1977

Mr. Robert Sprafka, Executive Vice President  
St. Paul Port Authority  
330 Minnesota Building  
St. Paul, MN 55101

PORT AUTHORITY OF ST. PAUL	
RES <input checked="" type="checkbox"/>	FILING
EAK <input type="checkbox"/>	INSTRUCTION
DGD <input type="checkbox"/>	
JFF <input type="checkbox"/>	JUN 17 1977
CER <input checked="" type="checkbox"/>	
RAG <input type="checkbox"/>	ALL DEPTS.
WEM <input type="checkbox"/>	
RCB <input type="checkbox"/>	
DATE <input type="text"/>	<input type="text"/>

Subject: Metropolitan Wastewater Treatment Plant Ash Disposal  
Project

Dear Mr. Sprafka:

The Metropolitan Waste Control Commission presently has approximately 150,000 cubic yds. of ash material at the Metropolitan WWTP which must be disposed in the near future. The Commission is requesting permission from the St. Paul Port Authority to utilize the old St. Paul landfill area for this purpose. It is proposed that the ash be spread to a depth of about 2-3 feet on the area depicted in the attached aerial photo. A portion of the area is owned by the Milwaukee Railroad but it is our understanding that the Port Authority has the responsibility for providing cover material on the old landfill area. As part of the project, additional material would be obtained from the construction site at the Metropolitan Wastewater Treatment Plant and would be utilized as cover over the ash. The entire site would then be graded and seeded.

The proposed project would be beneficial to both the Commission and the Port Authority. The landfill area would provide the most economical ash disposal method for the Commission while also providing needed cover material for the site. The possibility of utilizing this area was discussed with the Minnesota Pollution Control Agency and their response was favorable. Formal approval will be required from the Agency before any action can be initiated.

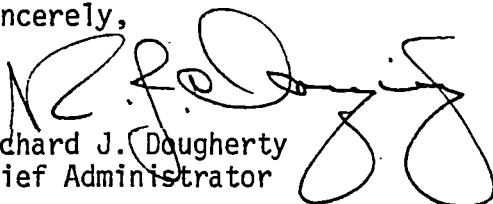
If this proposal is acceptable to the Port Authority, the Commission will initiate preparation of plans and specifications for the project and upon completion will submit them for your review. Our staff will coordinate activities with the Port Authority staff during all stages of the project.



Mr. Robert Sprafka, Exec. Vice Pres.  
St. Paul Port Authority  
June 10, 1977  
Page Two

We look forward to an opportunity to work together with the Port Authority on this project. If additional information is required, please contact us.

Sincerely,



Richard J. Dougherty  
Chief Administrator

RJD:WGM:bdw  
Attachment

cc: B. J. Harrington, Director of Engineering, MWCC  
G. W. Lusher, Director of Operations, MWCC  
W. K. Johnson, Director of Quality Control, MWCC

# PORT AUTHORITY

00995

OF THE CITY OF ST. PAUL

## Memorandum

TO: BOARD OF COMMISSIONERS

DATE: June 21, 1977

FROM: Clifford E. Ramsted *CR*

SUBJECT: ASH DISPOSAL  
METROPOLITAN WASTEWATER TREATMENT PLANT

The Metropolitan Waste Control Commission has formally requested the permission of the Port Authority to dispose of approximately 150,000 cubic yards of fly ash as cover material over approximately 35 acres of the Pig's Eye landfill area. Approximately 10 acres of this area is owned by the Port Authority and the remaining 25 acres are held by the Milwaukee Road.

In 1972, the Port Authority assumed the responsibility to cover the entire landfill area as suitable cover material became available. During the past several years this material has been made available through the expansion projects at the Wastewater Treatment Plant. As a result over 60% of the landfill has been covered to the satisfaction of the Minnesota P.C.A., Public Works Department and the Milwaukee Road at no cost to the Port Authority.

The work under this request will be carried out by the Waste Control Commission under a permit issued by the Minnesota P.C.A. The work involved will include spreading the fly ash, covering with soil from excavations within the plant site, grading and seeding. Permitting the use of the landfill area for this purpose will provide the Commission with the most economical method of ash disposal while providing needed cover material for the site at no cost to the Port Authority.

It is my recommendation that permission be granted to the Metropolitan Waste Control Commission to use the Pig's Eye Landfill for ash disposal as requested.

sjs

June 24, 1977

Mr. E. C. Jordan  
Division Engineer  
Milwaukee Road  
221 3rd Ave. S.  
Minneapolis, Minnesota 55401

Re: Ash Disposal  
Pig's Eye Landfill

Dear Mr. Jordan:

Attached to this letter is a request from the Metropolitan Waste Control Commission for permission to dispose of approximately 150,000 cubic yards of ash as cover over the Pig's Eye landfill which is in part owned by the Port Authority and the Milwaukee Road.

At the meeting of the Port Authority Commissioners on Tuesday, June 21, 1977, this request was approved with respect to the Port Authority lands. The request is being forwarded to you for your review and comments.

As you know, the Port Authority assumed the responsibility for covering the Pig's Eye Landfill in 1972 as cover material became available. Consequently, this request is being directed to the Port Authority.

The attached aerial photograph shows the area on which it is proposed to place the fly ash cover.

All work will be done under the supervision of the Waste Control Commission and under a permit granted by the M.P.C.A.

If you have any questions, please contact the writer,

Yours truly,

Clifford E. Ramsted  
Chief Engineer

CER:sjs  
Enclosures

July 11, 1977

Mr. Richard J. Dougherty  
Chief Administrator  
Metropolitan Waste Control Commission  
350 Metro Square Building  
St. Paul, Mn. 55101

RE: Ash Disposal  
Pig's Eye Landfill

Dear Mr. Dougherty:

This letter is in response to your request of June 17, 1977, for permission to dispose of incinerator ash over a portion of the Pig's Eye Landfill easterly of Battle Creek on Milwaukee Road and Port Authority owned lands.

This request was approved by the Port Authority Commissioners at the regular meeting of June 21, 1977. We have contacted the Milwaukee Road and have today received a verbal approval from the office of E. C. Jordan, Division Engineer. When the written approval is received from the Railroad Company, it will be forwarded to you.

Very truly yours,

Robert F. Sprafka  
Executive Vice President

CER:mks

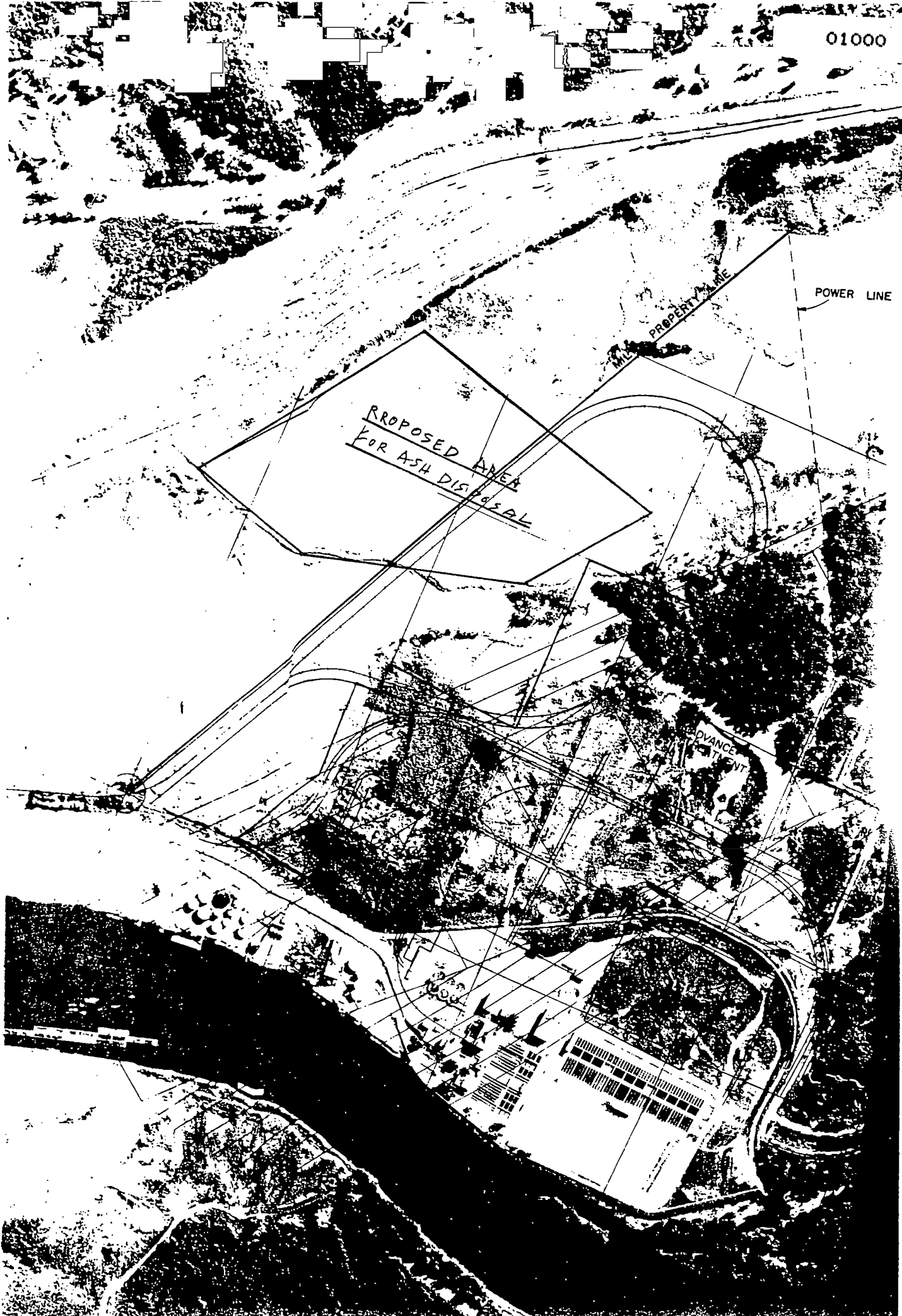
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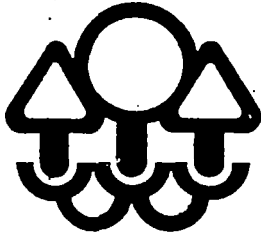
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<u>Name</u>	<u>Agency</u>	<u>Phone no.</u>
Michael Coleman	MPCA	296-7324
Robert Croft	MPCA SLOD	296-7317
Mike Janness	MPCA - Water Quality	296-7234
Ken D. Ryan	St. Paul Planning	298-4510
Steve Rustig	ONR - Metro Region	296-8612
Bob Kethercutt	Metro Council	<del>291</del> 291-6403
Mike Folkstad	St. Paul Div of Planning	298-4510
Clifford Kamstad	Port Authority	224-5686
Cliff Aichinger	SPA / EQB	296-2686
Alan Scherdt	Ramsey Co.	484-9104
Ray Payne	MWCC	222-8423
Bill Moore	MWCC	" "
Carl Schenk	Metro Council	" "
Ray Thron	"	291-6409



- c. Providing for the continuation and the development of a variety of urban uses, including industrial and commercial uses, and residential, where appropriate, within the river corridor.
  - d. Utilizing certain reaches of the river as a source of water supply and as a receiving stream for properly treated sewage and industrial waste effluents.
2. In order to manage the river corridor consistent with its natural characteristics and its existing development, the following guidelines are established for each corridor district:
- a. Rural Open Space District. The lands and waters within this district shall be used and developed to preserve their open, scenic and natural characteristics and ecological and economic functions. Presently undeveloped islands shall be maintained in their existing natural state. The transportation function of the river shall be maintained and preserved.
  - b. Urban Diversified District. The lands and waters within this district shall be used and developed to maintain the present diversity of commercial, industrial, residential, and public uses of the lands, including the existing transportation use of the river; to protect historical sites and areas, natural scenic and environmental resources; and to expand public access to and enjoyment of the river. New commercial, industrial, residential, and other uses may be permitted if they are compatible with these goals.
  - c. Urban Developed District. The lands and waters within this district shall be maintained largely as residential areas. The expansion of existing and development of new industrial, commercial, and other non-residential or non-recreational uses shall be limited to preserve and enhance the residential character of this district.
  - d. Urban Open Space District. The lands and waters within this district shall be managed to conserve and protect the existing and potential recreational, scenic, natural, and historic resources and uses within this district for the use and enjoyment of the surrounding region. Open space shall be provided in the open river valley lands for public use and the protection of unique natural and scenic resources. The existing transportation role of the river in this district shall be protected.
3. The Mississippi River Corridor shall be managed in accordance with the Metropolitan Council's Development Guide Chapter, Critical Areas Act of 1973, and the Minnesota Environmental Policy Act of 1973, and other applicable state laws, and federal laws.





# Minnesota Pollution Control Agency

520 Lafayette Road, Saint Paul, Minnesota 55155

Telephone (612) 296-6300

01280



CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

August 10, 1990

Port Authority of St. Paul  
1900 Landmark Tower  
345 St. Peter Street  
St. Paul, Minnesota 55102

Dear Sir or Madam:

RE: Requirement to Provide Information  
Pig's Eye Dump/Fish Hatcheries Dump

The Minnesota Pollution Control Agency (MPCA) is responsible for implementing the Minnesota Environmental Response and Liability Act (MERLA). MERLA is the cornerstone of the State's efforts to investigate and remedy hazardous waste sites where contamination threatens public health or the environment.

Pursuant to MERLA, the MPCA staff has identified a release or threatened release of hazardous substances or pollutants or contaminants at the Pig's Eye Dump/Fish Hatcheries Dump, located in Ramsey County, Minnesota. The MPCA staff is in the process of identifying persons who may be responsible for this release or threatened release under MERLA because they 1) owned or operated the facility; 2) arranged for disposal; or 3) arranged for transport for disposal, of hazardous wastes or pollutants or contaminants at the above-referenced site.

The MPCA staff has reason to believe that the St. Paul Port Authority is a responsible person under MERLA, and may have information that is relevant to the release or threatened release from the Pig's Eye Dump/Fish Hatcheries Dump. To facilitate the Agency's investigation, the MPCA staff is sending you the enclosed Requirement To Provide Information (RPI). As the recipient of this RPI, you have the legal duty under State law to provide information requested by the MPCA that is relevant to the release or threatened release of hazardous substances or pollutants or contaminants. Information obtained in response to the RPI will be used by MPCA staff in carrying out their responsibilities under MERLA, including the identification of other responsible parties for the release or threatened release. This is a first Questionnaire; in the future it may be necessary to supplement the information available to MPCA with additional Questionnaires.

Since obtaining this information is an important initial step in the process, your response to the enclosed Questionnaire needs to be submitted within ninety (90) days from the date of the RPI. Normally, the deadline is 30 days. Because of the significant numbers of responsible persons likely to be involved, this deadline has been extended to 90 days. The information in your response is vital and will allow us to protect public health and the environment.

St. Paul Port Authority  
Page 2

Therefore, failure to provide timely, complete and accurate answers to the Questionnaire may result in legal actions by the State of Minnesota to compel disclosure.

Attachment 1 contains instructions for completing the Questionnaire. A list of definitions of words used in the Questionnaire may be found in Attachment 2. Please review both Attachments prior to answering the Questionnaire.

The complete Questionnaire and all relevant documents should be mailed to:

Cathy O'Connell, Project Manager  
Site Response Section  
Ground Water and Solid Waste Division  
Minnesota Pollution Control Agency  
520 Lafayette Road  
St. Paul, Minnesota 55155

Should you have any questions regarding this letter and the enclosed RPI and Questionnaire, please contact me at (612) 296-7227.

Sincerely,

*Beth Aschinger*

for

Cathy O'Connell  
Project Manager  
Superfund Unit  
Site Response Section  
Ground Water and Solid Waste Division

CO:kkn

Enclosures

STATE OF MINNESOTA  
POLLUTION CONTROL AGENCY

In the Matter of  
Pig's Eye Dump/Fish Hatcheries Dump

REQUIREMENT TO  
PROVIDE INFORMATION  
PURSUANT TO THE MINNESOTA  
ENVIRONMENTAL RESPONSE  
AND LIABILITY ACT

The Minnesota Pollution Control Agency (MPCA) staff has reason to believe that the Port Authority of St. Paul is a responsible person under the Minnesota Environmental Response and Liability Act (MERLA) and may have information that is relevant to the release or threatened release of hazardous substances or pollutants or contaminants from the above-referenced site. You are required by Minn. Stat. § 115B.17, subd. 3 (1988), to provide information to the MPCA and its employees that is relevant to the release or threatened release:

Any person who the agency has reason to believe is responsible for a release or threatened release as provided in section 115B.03, or who is the owner of real property where the release or threatened release is located or where response actions are proposed to be taken, when requested by the agency, or any member, employee or agent thereof who is authorized by the agency, shall furnish the agency any information which that person may have or may reasonably obtain which is relevant to the release or threatened release.

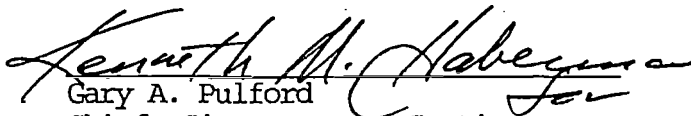
The MPCA is also authorized by Minn. Stat. § 115B.17, subd. 4(a)(1988), to examine and copy any books, papers, records, memoranda or data of any person who has a duty to provide information under Section 115B.17, subd. 3.

In addition, the MPCA is authorized to conduct investigations in conjunction with its duties to enforce the State's laws on water and air pollution. Minnesota Statutes, Section 115.03, subd. 1(h)(1988), Section 116.07, subd. 9(c)(1988).

You are hereby directed to answer the attached questionnaire and to provide any relevant documents within ninety (90) days from the date of this Requirement to Provide Information. Failure to respond or to provide complete and accurate answers to the enclosed questions may result in legal action by the State of Minnesota to compel disclosure.

Date: 8/10/90

MINNESOTA POLLUTION CONTROL AGENCY

  
Gary A. Pulford  
Chief, Site Response Section  
Ground Water and Solid Waste Division

QUESTIONNAIRE FOR PIG'S EYE DUMP/FISH HATCHERIES DUMP  
AND  
REQUEST FOR PRODUCTION OF DOCUMENTS

1. Identify the full legal name, address and phone number of the business or governmental entity, hereinafter referred to as "business."
2. How many years has the business been in operation?
3. Identify the names and current addresses and telephone numbers of all current and past owner(s) of the business.
4. Provide a map indicating that portion of the site(s) owned or operated by the business. Include leases.
5. Identify all MPCA, Minnesota Department of Health and other environmental permits issued by Federal, State, county, city or other governmental authorities that the business holds and the effective dates for such permits.
6. Identify and list all businesses and industrial customers whose garbage and/or hazardous wastes or pollutants or contaminants were placed at the site(s). Include waste characterization, volume, dates, and current business contacts (if known).
7. Identify and list all transporters of garbage and/or hazardous wastes or pollutants or contaminants that were placed at the site(s). Include waste characterization, volume, dates, and current business contacts (if known).
8. Provide a map indicating the portions of the site(s) dedicated to specific uses or specific businesses.
9. How was the garbage and/or hazardous wastes or pollutants or contaminants picked up from businesses or industrial customers stored (e.g., in drums, barrels, dumpsters) for pick up? For transport?
10. How was the garbage and/or hazardous wastes or pollutants or contaminants disposed of (e.g., drums buried or emptied and returned) at the site(s)?
11. Identify all persons whom the business consulted in the preparation of the response to the Questionnaire, including their current addresses and telephone numbers and relationship to the business.
12. Identify any other persons who may be able to provide a more detailed or complete response to the Questionnaire or who may be able to provide additional relevant documents.

Attachment 1  
Instructions for Questionnaire

1. ENCLOSE WITH YOUR RESPONSE TO THE QUESTIONNAIRE A NOTARIZED AFFIDAVIT FROM YOU OR AN AUTHORIZED OFFICIAL REPRESENTING YOUR BUSINESS ATTESTING TO THE FACT (A) THAT A DILIGENT SEARCH FOR RECORDS RELEVANT TO THIS QUESTIONNAIRE HAS BEEN COMPLETED AND (B) THAT A DILIGENT INTERVIEW PROCESS HAS BEEN CONDUCTED WITH PRESENT AND FORMER EMPLOYEES WHO MAY HAVE KNOWLEDGE OF WASTE GENERATION OR OTHER WASTE MANAGEMENT PRACTICES AT PIG'S EYE DUMP/FISH HATCHERIES DUMP FROM 1956 TO 1972. ANY INFORMATION THAT YOU PROVIDE IN RESPONSE TO THE QUESTIONNAIRE THAT IS BASED ON YOUR PERSONAL KNOWLEDGE, OR THE PERSONAL KNOWLEDGE OF YOUR EMPLOYEES, AGENTS, OR OTHER REPRESENTATIVES MUST BE SUBMITTED IN THE FORM OF A NOTARIZED AFFIDAVIT.
2. Review the list of definitions in Attachment 2.
3. Make a separate written response to each question. Do NOT leave any blank questions.
4. Number each of your answers according to the corresponding numbered question. For each document produced in response to the Requirement to Provide Information, identify the number of the question to which it responds on the document or in some other reasonable manner.
5. In answering each question, identify all sources of information consulted in preparing the response.
6. You are required to respond to each question on the basis of any and all information and documents in your possession, custody, or control or the possession, custody, or control of your current or former employees, agents, or contractors, or other person who conducted business on your behalf. Furnish information that is available to you regardless of whether it is based on personal knowledge, and regardless of source.
7. Information necessary to adequately respond to a question may not be known or available on the date your response is submitted. If this is the case, you have a continuing duty to provide the information when it becomes known or available, and to submit correct information that was submitted in the response and later learned to be wrong.
8. Respond in writing to each question even if information on which your answer is based has not been recorded in any particular document.
9. If any requested documents have been transferred voluntarily or involuntarily to others or have been otherwise disposed of, identify (a) each document; (b) the person to whom it was transferred; and (c) the date of the transfer or disposal.
10. You have a duty to provide the requested information even if the information may be considered confidential or a trade secret. If you provide any information that relates to sales figures, processes or methods of production unique to your business, or information that would tend to affect adversely the competitive position of your business if generally known, you may certify this claim at the time you submit your response and the

-2-

information so certified will be held nonpublic as provided in Minnesota Statutes, Section 115B.17, subdivision 5 (1988). Any such certification must specifically identify the information that you believe qualifies for nonpublic treatment. If no such certification accompanies the information when it is received by the MPCA, it may be made available to the public by the MPCA without further notice to you.



## Attachment 2

## Definitions for Questionnaire

For the purpose of your answers to the Questionnaire, the following definitions shall apply:

1. PORT AUTHORITY OF ST. PAUL. "Port Authority of St. Paul" includes any agent, subcontractor, or any other person who conducted or did business on behalf of "Port Authority of St. Paul."
2. Pig's Eye Dump/Fish Hatcheries Dump. "Pig's Eye Dump/Fish Hatcheries Dump" means the property located 1/2 mile southeast of the intersection of Warner Road and Childs Road (an old report lists the address as 1150 Pig's Eye Lake Road) [Ramsey County, Section 10, T28N, R22W] and the property located at the intersection of Warner Road and Childs Road (an old report simply gives the address as Warner Road) [Ramsey County, Section 3, T28N, R22W], St. Paul, Minnesota.
3. YOU; BUSINESS. The terms "you" and "business," means the addressee of the Requirement to Provide Information.
4. DOCUMENT. "Document" means information preserved in any manner which is in the possession of or may be reasonably obtained by the addressee, including information in the possession of the addressee's directors, officers, shareholders, partners, managers, employees, subcontractors, trustees, successors, assigns, and agents, regardless of the location of the document or its classification as privileged or confidential. The term "document" includes but is not limited to the following: correspondence, contracts, agreements, memoranda, telegrams, reports, assignments, personnel records, record books, manifests, logs, scrap-books, diaries, minutes, plans, drawings, photographs, tapes, computer discs, invoices, checks, surveys and analyses.
5. IDENTIFY/Individual. The term "identify" means, with respect to an "individual," to set forth the person's full name, present or last known

address, name of the employer, and a description of the job responsibilities of the person.

6. IDENTIFY/Business. The term "identify" means, with respect to a governmental entity, corporation, sole proprietorship, partnership, or other association or business entity, to set forth its full name, address, legal form (for example, corporation, partnership, etc.), and a brief description of the product or service offered by the business.

7. IDENTIFY/Document. The term "identify" means, with respect to a document to provide its customary business description, its date, its number if any (for example, invoice or purchase order number) as well as its author, addresser, addressee and/or recipient, and the substance or the subject matter.

8. PERSON. "Person," as defined in Minnesota Statutes, Section 115B.02, subdivision 12 (1988) means any individual, partnership, association, public or private corporation or other entity, including the United States government, any interstate body, the state and any agency, department or political subdivision of the state.

9. FACILITY. "Facility," as defined in Minnesota Statutes, Section 115b.02, subdivision 5 (1988) means:

(a) Any building, structure, installation, equipment, pipe or pipeline (including any pipe into a sewer or publicly owned treatment works), well, pit, pond, lagoon, impoundment, ditch, landfill, storage container, motor vehicle, rolling stock, or aircraft;

(b) Any watercraft of any description, or other artificial contrivance used or capable of being used as a means of transportation on water; or

-3-

(c) Any site or area where a hazardous substance, or a pollutant or contaminant, has been deposited, stored, disposed of, or placed, or otherwise come to be located.

"Facility" does not include any consumer product in consumer use.

10. HAZARDOUS SUBSTANCE. "Hazardous substance," as defined in Minnesota Statutes, Section 115B.02, subd. 8 (1988), means:

(a) Any commercial chemical designated pursuant to the Federal Water Pollution Control Act, under United States Code, title 33, section 1321 (b) (2) (A);

(b) Any hazardous air pollutant listed pursuant to the Clean Air Act, under United States Code, title 42, section 7412, and

(c) Any hazardous waste.

"Hazardous substance" does not include natural gas, natural gas liquids, liquefied natural gas, synthetic gas usable for fuel, or mixtures of such synthetic gas and natural gas, nor does it include petroleum, including crude oil or any fraction thereof which is not otherwise a hazardous waste.

11. HAZARDOUS WASTE. "hazardous waste," as defined in Minnesota Statutes, Section 115B.02, subdivision 9 (1988) means:

(a) Any hazardous waste as defined in section 116.06, subd. 13, and any substance identified as a hazardous waste pursuant to rules adopted by the agency under section 116.07; and

(b) Any hazardous waste as defined in the Resource Conservation and Recovery Act, under United States Code, title 42, section 6903, which is listed or has the characteristics identified under United States Code, title 42,

-4-

section 6921, not including any hazardous waste, the regulation of which has been suspended by Act of Congress.

12. POLLUTANT OR CONTAMINANT. "Pollutant or contaminant," as defined in Minnesota Statutes, Section 115B.02, subdivision 13 (1988) means any element, substance, compound, mixture, or agent, other than a hazardous substance, which after release from a facility and upon exposure of, ingestion, inhalation, or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains, will or may reasonably be anticipated to cause death, disease, behavioral abnormalities, cancer, genetic mutation, physiological malfunctions (including malfunctions in reproduction) or physical deformations, in the organisms or their offspring.

"Pollutant or contaminant" does not include natural gas, natural gas liquids, liquefied natural gas, synthetic gas usable for fuel, or mixtures of such synthetic gas and natural gas.

13. SOLID WASTE. "Solid waste," as defined in Minnesota Rules, Part 7035.0300, subpart 100 (1988) means garbage, refuse, sludge from a water supply treatment plant or air contaminant treatment facility, and other discarded waste materials and sludges, in solid, semi-solid, liquid, or contained gaseous form, resulting from industrial, commercial, mining and agricultural operations, and from community activities, but does not include hazardous waste; animal waste used as fertilizer; earthen fill, boulders, rock; sewage sludge; solid or dissolved material in domestic sewage or other common pollutants in water resources, such as silt, dissolved or suspended solids in industrial waste, water effluents or discharges which are point sources subject to permits under

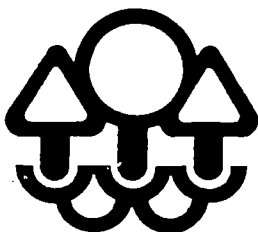
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section 402 of the Federal Water Pollution Control Act, as amended, dissolved materials in irrigation return flows; or source, special nuclear, or by-product material as defined by The Atomic Energy Act of 1954, as amended.

14. RELEASE. "Release," as defined in Minnesota Statutes, Section 115B.02, subdivision 15 (1988) means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment which occurred at a point in time or which continues to occur.

"Release" does not include:

- (a) Emissions from the engine exhaust of a motor vehicle, rolling stock, aircraft, watercraft, or pipeline pumping station engine;
- (b) Release of source, by-product, or special nuclear material from a nuclear incident, as those terms are defined in The Atomic Energy Act of 1954, under United States Code, title 42, section 2014, if the release is subject to requirements with respect to financial protection established by the federal nuclear regulatory commission under United States Code, title 42, section 2210.
- (c) Release of source, by-product or special nuclear material from any processing site designated pursuant to the Uranium Mill Tailings Radiation Control Act of 1978, under United States Code, title 42, section 7912(a) or 7942(a); or
- (d) Any release resulting from the application of fertilizer or agricultural or silvicultural chemicals, or disposal of emptied pesticide containers or residues from a pesticide as defined in section 18A.21, subd. 25.



# Minnesota Pollution Control Agency

520 Lafayette Road, Saint Paul, Minnesota 55155

Telephone (612) 296-6300

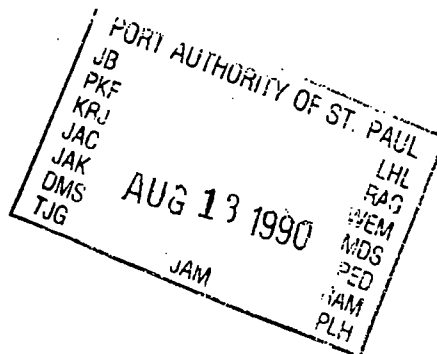
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**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

August 10, 1990

Port Authority of St. Paul  
1900 Landmark Tower  
345 St. Peter Street  
St. Paul, Minnesota 55102



Dear Sir or Madam:

RE: Requirement to Provide Information  
Pig's Eye Dump/Fish Hatcheries Dump

The Minnesota Pollution Control Agency (MPCA) is responsible for implementing the Minnesota Environmental Response and Liability Act (MERLA). MERLA is the cornerstone of the State's efforts to investigate and remedy hazardous waste sites where contamination threatens public health or the environment.

Pursuant to MERLA, the MPCA staff has identified a release or threatened release of hazardous substances or pollutants or contaminants at the Pig's Eye Dump/Fish Hatcheries Dump, located in Ramsey County, Minnesota. The MPCA staff is in the process of identifying persons who may be responsible for this release or threatened release under MERLA because they 1) owned or operated the facility; 2) arranged for disposal; or 3) arranged for transport for disposal, of hazardous wastes or pollutants or contaminants at the above-referenced site.

The MPCA staff has reason to believe that the St. Paul Port Authority is a responsible person under MERLA, and may have information that is relevant to the release or threatened release from the Pig's Eye Dump/Fish Hatcheries Dump. To facilitate the Agency's investigation, the MPCA staff is sending you the enclosed Requirement To Provide Information (RPI). As the recipient of this RPI, you have the legal duty under State law to provide information requested by the MPCA that is relevant to the release or threatened release of hazardous substances or pollutants or contaminants. Information obtained in response to the RPI will be used by MPCA staff in carrying out their responsibilities under MERLA, including the identification of other responsible parties for the release or threatened release. This is a first Questionnaire; in the future it may be necessary to supplement the information available to MPCA with additional Questionnaires.

Since obtaining this information is an important initial step in the process, your response to the enclosed Questionnaire needs to be submitted within ninety (90) days from the date of the RPI. Normally, the deadline is 30 days. Because of the significant numbers of responsible persons likely to be involved, this deadline has been extended to 90 days. The information in your response is vital and will allow us to protect public health and the environment.

St. Paul Port Authority  
Page 2

Therefore, failure to provide timely, complete and accurate answers to the Questionnaire may result in legal actions by the State of Minnesota to compel disclosure.

Attachment 1 contains instructions for completing the Questionnaire. A list of definitions of words used in the Questionnaire may be found in Attachment 2. Please review both Attachments prior to answering the Questionnaire.

The complete Questionnaire and all relevant documents should be mailed to:

Cathy O'Connell, Project Manager  
Site Response Section  
Ground Water and Solid Waste Division  
Minnesota Pollution Control Agency  
520 Lafayette Road  
St. Paul, Minnesota 55155

Should you have any questions regarding this letter and the enclosed RPI and Questionnaire, please contact me at (612) 296-7227.

Sincerely,

*Beth Aschinger*

for

Cathy O'Connell  
Project Manager  
Superfund Unit  
Site Response Section  
Ground Water and Solid Waste Division

CO:kkn

Enclosures

STATE OF MINNESOTA  
POLLUTION CONTROL AGENCY

In the Matter of  
Pig's Eye Dump/Fish Hatcheries Dump

REQUIREMENT TO  
PROVIDE INFORMATION  
PURSUANT TO THE MINNESOTA  
ENVIRONMENTAL RESPONSE  
AND LIABILITY ACT

The Minnesota Pollution Control Agency (MPCA) staff has reason to believe that the Port Authority of St. Paul is a responsible person under the Minnesota Environmental Response and Liability Act (MERLA) and may have information that is relevant to the release or threatened release of hazardous substances or pollutants or contaminants from the above-referenced site. You are required by Minn. Stat. § 115B.17, subd. 3 (1988), to provide information to the MPCA and its employees that is relevant to the release or threatened release:

Any person who the agency has reason to believe is responsible for a release or threatened release as provided in section 115B.03, or who is the owner of real property where the release or threatened release is located or where response actions are proposed to be taken, when requested by the agency, or any member, employee or agent thereof who is authorized by the agency, shall furnish the agency any information which that person may have or may reasonably obtain which is relevant to the release or threatened release.

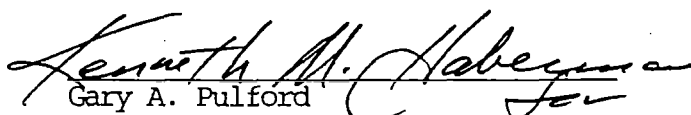
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In addition, the MPCA is authorized to conduct investigations in conjunction with its duties to enforce the State's laws on water and air pollution. Minnesota Statutes, Section 115.03, subd. 1(h)(1988), Section 116.07, subd. 9(c)(1988).

You are hereby directed to answer the attached questionnaire and to provide any relevant documents within ninety (90) days from the date of this Requirement to Provide Information. Failure to respond or to provide complete and accurate answers to the enclosed questions may result in legal action by the State of Minnesota to compel disclosure.

Date: 8/10/90

MINNESOTA POLLUTION CONTROL AGENCY

  
Gary A. Pulford  
Chief, Site Response Section  
Ground Water and Solid Waste Division



QUESTIONNAIRE FOR PIG'S EYE DUMP/FISH HATCHERIES DUMP  
AND  
REQUEST FOR PRODUCTION OF DOCUMENTS

1. Identify the full legal name, address and phone number of the business or governmental entity, hereinafter referred to as "business."
2. How many years has the business been in operation?
3. Identify the names and current addresses and telephone numbers of all current and past owner(s) of the business.
4. Provide a map indicating that portion of the site(s) owned or operated by the business. Include leases.
5. Identify all MPCA, Minnesota Department of Health and other environmental permits issued by Federal, State, county, city or other governmental authorities that the business holds and the effective dates for such permits.
6. Identify and list all businesses and industrial customers whose garbage and/or hazardous wastes or pollutants or contaminants were placed at the site(s). Include waste characterization, volume, dates, and current business contacts (if known).
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Attachment 1  
Instructions for Questionnaire

1. ENCLOSE WITH YOUR RESPONSE TO THE QUESTIONNAIRE A NOTARIZED AFFIDAVIT FROM YOU OR AN AUTHORIZED OFFICIAL REPRESENTING YOUR BUSINESS ATTESTING TO THE FACT (A) THAT A DILIGENT SEARCH FOR RECORDS RELEVANT TO THIS QUESTIONNAIRE HAS BEEN COMPLETED AND (B) THAT A DILIGENT INTERVIEW PROCESS HAS BEEN CONDUCTED WITH PRESENT AND FORMER EMPLOYEES WHO MAY HAVE KNOWLEDGE OF WASTE GENERATION OR OTHER WASTE MANAGEMENT PRACTICES AT PIG'S EYE DUMP/FISH HATCHERIES DUMP FROM 1956 TO 1972. ANY INFORMATION THAT YOU PROVIDE IN RESPONSE TO THE QUESTIONNAIRE THAT IS BASED ON YOUR PERSONAL KNOWLEDGE, OR THE PERSONAL KNOWLEDGE OF YOUR EMPLOYEES, AGENTS, OR OTHER REPRESENTATIVES MUST BE SUBMITTED IN THE FORM OF A NOTARIZED AFFIDAVIT.
2. Review the list of definitions in Attachment 2.
3. Make a separate written response to each question. Do NOT leave any blank questions.
4. Number each of your answers according to the corresponding numbered question. For each document produced in response to the Requirement to Provide Information, identify the number of the question to which it responds on the document or in some other reasonable manner.
5. In answering each question, identify all sources of information consulted in preparing the response.
6. You are required to respond to each question on the basis of any and all information and documents in your possession, custody, or control or the possession, custody, or control of your current or former employees, agents, or contractors, or other person who conducted business on your behalf. Furnish information that is available to you regardless of whether it is based on personal knowledge, and regardless of source.
7. Information necessary to adequately respond to a question may not be known or available on the date your response is submitted. If this is the case, you have a continuing duty to provide the information when it becomes known or available, and to submit correct information that was submitted in the response and later learned to be wrong.
8. Respond in writing to each question even if information on which your answer is based has not been recorded in any particular document.
9. If any requested documents have been transferred voluntarily or involuntarily to others or have been otherwise disposed of, identify (a) each document; (b) the person to whom it was transferred; and (c) the date of the transfer or disposal.
10. You have a duty to provide the requested information even if the information may be considered confidential or a trade secret. If you provide any information that relates to sales figures, processes or methods of production unique to your business, or information that would tend to affect adversely the competitive position of your business if generally known, you may certify this claim at the time you submit your response and the

-2-

information so certified will be held nonpublic as provided in Minnesota Statutes, Section 115B.17, subdivision 5 (1988). Any such certification must specifically identify the information that you believe qualifies for nonpublic treatment. If no such certification accompanies the information when it is received by the MPCA, it may be made available to the public by the MPCA without further notice to you.

## Attachment 2

## Definitions for Questionnaire

For the purpose of your answers to the Questionnaire, the following definitions shall apply:

1. PORT AUTHORITY OF ST. PAUL. "Port Authority of St. Paul" includes any agent, subcontractor, or any other person who conducted or did business on behalf of "Port Authority of St. Paul."

2. Pig's Eye Dump/Fish Hatcheries Dump. "Pig's Eye Dump/Fish Hatcheries Dump" means the property located 1/2 mile southeast of the intersection of Warner Road and Childs Road (an old report lists the address as 1150 Pig's Eye Lake Road) [Ramsey County, Section 10, T28N, R22W] and the property located at the intersection of Warner Road and Childs Road (an old report simply gives the address as Warner Road) [Ramsey County, Section 3, T28N, R22W], St. Paul, Minnesota.

3. YOU; BUSINESS. The terms "you" and "business," means the addressee of the Requirement to Provide Information.

4. DOCUMENT. "Document" means information preserved in any manner which is in the possession of or may be reasonably obtained by the addressee, including information in the possession of the addressee's directors, officers, shareholders, partners, managers, employees, subcontractors, trustees, successors, assigns, and agents, regardless of the location of the document or its classification as privileged or confidential. The term "document" includes but is not limited to the following: correspondence, contracts, agreements, memoranda, telegrams, reports, assignments, personnel records, record books, manifests, logs, scrap-books, diaries, minutes, plans, drawings, photographs, tapes, computer discs, invoices, checks, surveys and analyses.

5. IDENTIFY/Individual. The term "identify" means, with respect to an "individual," to set forth the person's full name, present or last known

address, name of the employer, and a description of the job responsibilities of the person.

6. IDENTIFY/Business. The term "identify" means, with respect to a governmental entity, corporation, sole proprietorship, partnership, or other association or business entity, to set forth its full name, address, legal form (for example, corporation, partnership, etc.), and a brief description of the product or service offered by the business.

7. IDENTIFY/Document. The term "identify" means, with respect to a document to provide its customary business description, its date, its number if any (for example, invoice or purchase order number) as well as its author, addresser, addressee and/or recipient, and the substance or the subject matter.

8. PERSON. "Person," as defined in Minnesota Statutes, Section 115B.02, subdivision 12 (1988) means any individual, partnership, association, public or private corporation or other entity, including the United States government, any interstate body, the state and any agency, department or political subdivision of the state.

9. FACILITY. "Facility," as defined in Minnesota Statutes, Section 115b.02, subdivision 5 (1988) means:

(a) Any building, structure, installation, equipment, pipe or pipeline (including any pipe into a sewer or publicly owned treatment works), well, pit, pond, lagoon, impoundment, ditch, landfill, storage container, motor vehicle, rolling stock, or aircraft;

(b) Any watercraft of any description, or other artificial contrivance used or capable of being used as a means of transportation on water; or

-3-

(c) Any site or area where a hazardous substance, or a pollutant or contaminant, has been deposited, stored, disposed of, or placed, or otherwise come to be located.

"Facility" does not include any consumer product in consumer use.

10. HAZARDOUS SUBSTANCE. "Hazardous substance," as defined in Minnesota Statutes, Section 115B.02, subd. 8 (1988), means:

(a) Any commercial chemical designated pursuant to the Federal Water Pollution Control Act, under United States Code, title 33, section 1321 (b) (2) (A);

(b) Any hazardous air pollutant listed pursuant to the Clean Air Act, under United States Code, title 42, section 7412, and

(c) Any hazardous waste.

"Hazardous substance" does not include natural gas, natural gas liquids, liquefied natural gas, synthetic gas usable for fuel, or mixtures of such synthetic gas and natural gas, nor does it include petroleum, including crude oil or any fraction thereof which is not otherwise a hazardous waste.

11. HAZARDOUS WASTE. "hazardous waste," as defined in Minnesota Statutes, Section 115B.02, subdivision 9 (1988) means:

(a) Any hazardous waste as defined in section 116.06, subd. 13, and any substance identified as a hazardous waste pursuant to rules adopted by the agency under section 116.07; and

(b) Any hazardous waste as defined in the Resource Conservation and Recovery Act, under United States Code, title 42, section 6903, which is listed or has the characteristics identified under United States Code, title 42,

section 6921, not including any hazardous waste, the regulation of which has been suspended by Act of Congress.

12. POLLUTANT OR CONTAMINANT. "Pollutant or contaminant," as defined in Minnesota Statutes, Section 115B.02, subdivision 13 (1988) means any element, substance, compound, mixture, or agent, other than a hazardous substance, which after release from a facility and upon exposure of, ingestion, inhalation, or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains, will or may reasonably be anticipated to cause death, disease, behavioral abnormalities, cancer, genetic mutation, physiological malfunctions (including malfunctions in reproduction) or physical deformations, in the organisms or their offspring.

"Pollutant or contaminant" does not include natural gas, natural gas liquids, liquefied natural gas, synthetic gas usable for fuel, or mixtures of such synthetic gas and natural gas.

13. SOLID WASTE. "Solid waste," as defined in Minnesota Rules, Part 7035.0300, subpart 100 (1988) means garbage, refuse, sludge from a water supply treatment plant or air contaminant treatment facility, and other discarded waste materials and sludges, in solid, semi-solid, liquid, or contained gaseous form, resulting from industrial, commercial, mining and agricultural operations, and from community activities, but does not include hazardous waste; animal waste used as fertilizer; earthen fill, boulders, rock; sewage sludge; solid or dissolved material in domestic sewage or other common pollutants in water resources, such as silt, dissolved or suspended solids in industrial waste, water effluents or discharges which are point sources subject to permits under

-5-

section 402 of the Federal Water Pollution Control Act, as amended, dissolved materials in irrigation return flows; or source, special nuclear, or by-product material as defined by The Atomic Energy Act of 1954, as amended.

14. RELEASE. "Release," as defined in Minnesota Statutes, Section 115B.02, subdivision 15 (1988) means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment which occurred at a point in time or which continues to occur.

"Release" does not include:

(a) Emissions from the engine exhaust of a motor vehicle, rolling stock, aircraft, watercraft, or pipeline pumping station engine;

(b) Release of source, by-product, or special nuclear material from a nuclear incident, as those terms are defined in The Atomic Energy Act of 1954, under United States Code, title 42, section 2014, if the release is subject to requirements with respect to financial protection established by the federal nuclear regulatory commission under United States Code, title 42, section 2210.

(c) Release of source, by-product or special nuclear material from any processing site designated pursuant to the Uranium Mill Tailings Radiation Control Act of 1978, under United States Code, title 42, section 7912(a) or 7942(a); or

(d) Any release resulting from the application of fertilizer or agricultural or silvicultural chemicals, or disposal of emptied pesticide containers or residues from a pesticide as defined in section 18A.21, subd. 25.





01668

PORT AUTHORITY OF THE CITY OF SAINT PAUL

1900 LANDMARK TOWERS • 345 ST. PETER STREET • ST. PAUL, MN 55102-1661 • PHONE (612) 224-5686

FAX (612) 223-5198

TOLL FREE (800) 328-8417

November 26, 1990

Ms. Kathy O'Connor  
Site Response Section  
MPCA  
520 West Lafayette Road  
St. Paul, MN 55155

RECEIVED  
JUL 19 1994

SUPERFUND PROGRAM  
MANAGEMENT BRANCH

Dear Ms. O'Connor:

We are transmitting to you herewith, our response to your questionnaire regarding the Pig's Eye Dump/Fish Hatcheries' Dump.

If you have any questions, please do not hesitate to call me.

Yours truly,

Lawrence H. Langer, P.E.  
Chief Engineer

LHL:las

RESPONSE TO MPCA REQUEST REFERENCE  
PIG'S EYE DUMP/FISH HATCHERIES' DUMP  
REQUEST DATED AUGUST 10, 1990

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INDEX

1. Port Authority response to request for information
2. MPCA request for information dated August 1, 1980
3. Deeds for acquisitions
4. City License Agreement, February 21, 1967
5. DNR Permit, March 29, 1973
6. Ash Disposal Agreement, June 21, 1977
7. Wood Chipper Land Lease, October 19, 1976
8. Maps No. 1, 2 and 3



01670

PORT AUTHORITY OF THE CITY OF SAINT PAUL

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TOLL FREE (800) 328-8417

November 26, 1990

Ms. Kathy O'Connor  
Site Response Section  
MPCA  
520 West Lafayette Road  
St. Paul, MN 55155

Dear Ms. O'Connor:

The following is the response of the Port Authority of the City of St. Paul to the Pig's Eye Dump/Fish Hatcheries' Dump questionnaire submitted by the MPCA.

1. Port Authority of the City of St. Paul  
1900 Landmark Towers  
345 St. Peter Street  
St. Paul, MN 55102
2. The Port Authority has owned the various parcels in the vicinity of Pig's Eye Dump beginning in 1959 through 1984. Copies of the deeds or acquisition documents and dates acquired are attached to the report. All property was deeded to Ramsey County open space on May 4, 1984.
3. 

Port Authority of the City of St. Paul	City of St. Paul
1900 Landmark Towers	Public Works Department
345 St. Peter Street	600 City Hall Annex
St. Paul, MN 55102	25 West Fourth Street
(612) 224-5686	St. Paul, MN 55102
	(612) 298-5151

Chicago, Milwaukee, St. Paul & Pacific Railroad Co.	MWCC
5116 West Jackson Blvd.	Mears Park Center
Chicago, IL 60606	230 East Fifth Street
(312) 648-3000	St. Paul, MN 55101
	(612) 222-8423

State of Minnesota  
Tax Forfeited Land

MSCL Deeds  
Attached

Ms. Kathy O'Connor  
November 26, 1990  
Page 2

4. Attached are maps of the Pig's Eye Dump/Fish Hatcheries' Dump area which define the areas owned by the Port Authority. Map No. 1 shows property acquired privately and a numbering system of 1 to 16, and also the Milwaukee Railroad purchase. All other land was purchased from the State by tax forfeiture. Map No. 2 indicates the existing property line of MWCC, Red Rock Industrial District, and land deeded to the City of St. Paul open space and recreation. The open space was deeded to the City of St. Paul on May 4, 1984. Map No. 3 shows the City dump, which was deeded from the City of St. Paul in approximately 1977.

Reference Map No. 1 - Copy of most deeds attached.

<u>Parcel</u>	<u>Seller</u>	<u>Date</u>
16	Milwaukee R.R.	August 6, 1963
9	Terrance O'Toole	February 10, 1967
11	Julia D. O'Donnell	February 10, 1967
12	Mary Larson	February 10, 1967
13	Family, McLeod	October 25, 1967
10	Julia D. O'Donnell	October 25, 1967
15A	MWCC (Land Exchange, see attached Certificate)	April 15, 1975
	State of MN Tax Title	October 7, 1959

Map No. 2

Deed to City of St. Paul for open space, dated May 4, 1984.

Map No. 3

Deed from the City of St. Paul in approximately 1977.

5. The site was acquired over the years to develop a coal unloading and handling facility. In 1972 and 1973, permits were applied for with MPCA, DNR and Corp of Engineers to construct a barge loading facility and permit dredging of the Mississippi River to fill the site. A permit was granted from the DNR on March 29, 1973 to perform the work; however, due to neighborhood resistance, no work was ever performed relative to that permit.

The City of St. Paul had a License Agreement with the Port Authority from February 21, 1967 through July 1, 1972 to operate a dump and landfill as described on the enclosed document. On July 31, 1972, the Port Authority assumed responsibility for covering the landfill with a 2 foot earth cap and then seeded.

On June 10, 1977, the Metropolitan Waste Control Commission requested permission to dispose of 150,000 cy of ash on the property owned by the Port Authority and the Milwaukee Railroad. On June 21, 1977, the Port Authority Board of Commissioners granted permission to allow the work under the direction of the Metropolitan Waste Control Commission and under the permit granted from the Minnesota Pollution Control Agency.

Ms. Kathy O'Connor  
November 26, 1990  
Page 3

On December 28, 1977, Ramsey county and the City of St. Paul requested permission to use a portion of the land for storage of diseased trees. Ramsey County signed a lease for a wood chipper on October 19, 1976 and continued to store diseased elm trees prior to chipping until a fire destroyed most of the trees on May 11, 1978.

6/7. The Port Authority never allowed nor permitted disposal of hazardous wastes, pollutants or contaminants on the site.

8. Refer to maps attached to permits and leases included and also

City of St. Paul landfill - Map 3

City of St. Paul - Ramsey Country trees - Map 2

Metropolitan Waste Control Commission - ash disposal - Map 2

9/10. See 6. and 7.

11. Lawrence H. Langer  
Chief Engineer  
Port Authority of the City of St. Paul  
1900 Landmark Towers  
345 St. Peter Street  
St. Paul, MN 55102

Richard A. Gierdal  
Property Manager

" "  
" "  
" "  
" "

Clifford E. Ramsted  
Retired Chief Engineer  
of the St. Paul Port Authority  
Home address: 8257 Xerxes Avenue South  
Bloomington, MN 55431  
(612) 831-3191

Richard D. Menken  
Project Engineer  
TKDA & Associates  
2400 American Nat'l. Bank  
St. Paul, MN 55101  
(612) 292-4589

Yours truly,



Lawrence H. Langer, P.E.  
Chief Engineer

LHL:las  
Attachments

To: Nile Fellows  
From: Cheryl Smith  
Re: Pig's Eye Dump Summary  
Date: September 15, 1993

Attached are copies of the summaries I have prepared for EPA on the Pig's Eye Dump site. I have provided a list of site specific files that have been created. I have placed these specific files into two boxes. Please let me know whether you want me to do additional tasks.

CC Cliff Anderson

## REQUEST FOR INFORMATION RECIPIENTS

The following parties have been send Requests for Information. Parties will an asterisk after its name did not respond to the request.

ACE SOLID WASTE MANAGEMENT  
ACTION DISPOSAL  
BELLAIRE SANITATION \*  
CAPITOL CITY DISPOSAL \*  
CASANOVA BROTHERS \*  
ED'S TRUCKING  
FORD MOTOR COMPANY  
HAUL-A-WAY SYSTEMS  
HIGHLAND PARK SANITATION  
JOHNNY'S RUBBISH HAULING \*  
KOWSKI DISPOSAL  
KRUPENNY & SONS DISPOSAL  
METROPOLITAN WASTE CONTROL COMMISSION  
MICKEY'S CITY WIDE RUBBISH  
MUDEK DISPOSAL  
PLANT BROTHERS  
RAILROADS, INCLUDING BURLINGTON NORTHERN, MILWAUKEE, SOO LINE, AND  
CORPORATE SUCCESSORS  
RED ARROW  
REMACKEL \*  
ST. PAUL, CITY OF  
ST. PAUL PORT AUTHORITY  
THOMAS, CAREY \*  
3M  
TWIN CITY REFUSE AND RECYCLING  
TWIN CITY SANITATION  
WALTER'S RUBBISH  
WASTE CONTROL \*  
WHIRLPOOL  
WYNNE'S RUBBISH

Separate files have been set up for parties who to date have not been contacted but should be contacted based on the information contained in the files.

## PIG'S EYE FILES\*

## DOCUMENT REQUESTS

FISH HATCHERY - Dump located next to Pig's Eye Dump

## GENERAL

HAULER LISTS - Lists of licensed haulers.

HAULER AGREEMENTS - Agreements haulers had with the City of St. Paul to haul nonresident waste to the site.

HISTORICAL RESEARCH - Research done at Minnesota Historical Society.

## MAPS

## MEETING MINUTES

## POSSIBLE GENERATORS

## RECORD COLLECTION

## RETURNED REQUESTS FOR INFORMATION

## ST. PAUL, CITY OF, GENERAL

## ST. PAUL, CITY OF, RESEARCH

## ST. PAUL, CITY OF, PERSONNEL SURVEY

ST. PAUL, CITY OF, RECORDS - Records copied from City of St. Paul Solid Wastes files.

SOLID WASTE FILE ON PIG'S EYE - MPCA GWSW file on site. Includes maps and inspection reports.

TABLES/FIGURES - Reports on amounts of waste disposed at site. Also includes break down between residential and commercial wastes.

## TITLE SEARCH

## WITNESSES

\* Does not include files on specific parties, see attached lists.



## COMPANIES WITH FILES WITHOUT RFIs

CONTROL DATA CORPORATION

HB FULLER

HOLM & OLSON

INDUSTRIAL STEEL CONTAINER

MACGILLIS & GIBB

NORTH STAR STEEL

NSP

PILLSBURY

SPERRY/UNIVAC

VIKING TOOL

## PIG'S EYE DUMP-REVIEW

- \* Ordinance for operation of Dump adopted on July 11, 1956. Evidence indicates that Dump may not have been in operation until approximately July, 1957. City of St. Paul memo states that site was flooded in June, 1957 and unable to operate. Memo in September, 1957 states that Pigs Eye site has been operating for several weeks.
- \* Operated until July 1, 1972. MPCA would not issue a permit because site was in a flood plain.
- \* Site consists of approximately 320 acres.
- \* Site served more than 85% of St. Paul and southern suburbs. Wastes from the following communities and from residents in the following communities have been identified: St. Paul, Arden Hills, Falcon Heights, Lauderdale, Little Canada, Maplewood, New Brighton, Roseville, St. Anthony, White Bear Lake, White Bear Township, West St. Paul, South St. Paul, Minneapolis, Anoka, Newport, St. Paul Park, Mendota Heights, North St. Paul, Sunfish Lake
- \* Residential, industrial, and commercial wastes were brought to site.
- \* Site is currently owned by St. Paul Port Authority, Metropolitan Waste Control Commission (MWCC), and CME Real Estate.
- \* In December 1977, MWCC was permitted to dispose of sewage sludge ash on 31 acres of site. Permit was renewed in 1979 and 1985. Approximately 435,000 cubic yards of ash disposed at site.
- \* MWCC possibly dumped sewage sludge on the site during the early 70's.
- \* There were numerous fires at the dump during its years of operation. The site burned intermittently in Summer 1988 for two months.
- \* Site was divided into three areas: North contained demolition wastes; Central was fenced in and contained 3M wastes; South contained household wastes and Ford Motor Company wastes.
- \* There is currently a wood chipping facility on the site which is operated by the City of St. Paul.
- \* In 1961, the St. Paul City Council closed dump to nonresidents unless arrangements were made with either the Council or a private hauler. Haulers were asked to identify nonresidents stops.
- \* In 1964, burning is stopped at the site.

- \* In 1966, City of St. Paul is notified by the Minnesota Health Department on problems with the dump.
- \* In 1967, City begins to charge fee for dump usage. MPCA notifies the City about problems with the site.
- \* In 1957, 1965, 1969, and 1993, the site was under water as a result of flooding.
- \* In 1971, 1,375 tons of waste dumped at the site per day. 25-30% demolition wastes and trees; 25% earth, concrete, and other noncombustibles; 10% cellulosic wastes like 3M; 2% City garbage; and 30% street waste, ashes, tin cans, and furniture.
- \* In 1957, 1200 truckloads daily of industrial and commercial wastes.
- \* Site was for haulers and city predominately. Individuals went to Fish Hatchery dump which was located nearby.
- \* MPCA has lists of haulers who were licensed during the site years of operation.
- \* MPCA has list of former dump employees and has identified persons still available.
- \* MPCA has summaries which detail amounts of waste from charitable groups, parks, public works, garbage, and commercial haulers.
- \* The City of St. Paul Police Department buried chemicals, explosives, and ammunition at the Site.
- \* The following are the annual totals for yards paid for refuse at the Site. These amounts excluded charitable organizations, parks, public works, and garbage.

1967	832,899
1968	1,140,032
1969	1,300,407
1970	1,557,949
1971	1,662,388
1972	492,932

### MPCA PRP ACTIVITIES TO DATE

- \* Issued 29 Requests for Information
- \* Reviewed MPCA records, including all of GWSW records
- \* Conducted site visits
- \* Reviewed City of St. Paul records and copied pertinent information
- \* Reviewed materials available at Minnesota Historical Society
- \* Conducted witness interviews
- \* Contact U of M Wilson Library for photographs
- \* Review aerial photographs available through MN/DOT
- \* Gather and review manufacturers lists for PRPs

## RECORD COLLECTION

## RESEARCH TO COMPLETE

## MPCA RECORDS

Review MPCA AS files which have been sent to the State Records Center. According to reference at Minnesota Historical Society, MPCA kept files, photographs, and other documents from 1963 to 1976 on the Pigs Eye area. Contact Pat Kiesling 612/296-7797.

Review MPCA SW records which have been sent to State Records Center. Contact Chris Johnson 612/296-7332.

Review MPCA GWSW Industry files for specific parties, including but not limited to 3M, Ford Motor Company, Whirlpool, North Star Steel, and American Can. Note there are several files on the 3M Chemolite plant. Possibly tons of waste from this facility were disposed at Pigs Eye. Contact Chris Malec 612/297-5177.

Talk to Dave Douglas, (612/296-7818) MPCA project manager on 3M Chemolite site for information.

Review MPCA GWSW Miscellaneous files, including file on Pigs Eye Sewage Treatment Plant. Contact Chris Malec 612/297-5177.

Check into possible information in MPCA Tanks and Spills Division. Contact Rebecca Lofgren 612/297-8575.

There is a lot of PRP information contained in MPCA GWSW St. Paul, City of files (C) and (D). Contact Chris Malec 612/297-5177. Orange tabs highlight certain documents.

## HISTORICAL SOCIETY

Review MPCA files on proposed coal terminal in Pigs Eye area. In State Archives, five boxes.

Look for other MPCA records.

Look in both card catalog and photographs catalog under the following headings: St. Paul, Battle Creek, Mississippi River, and names of possible generators.

Look at Sanborn maps, newspapers, old phone books and directories.

## METROPOLITAN COUNCIL

Review photographs of the area.

Get copy of Metropolitan InterCounty Council Developing the Marketing Potential of Hazardous

Waste Reclamation in the Twin Cities Metropolitan Area, June, 1975.

STATE RECORDS CENTER

Review the following files: 3M Chemolite files, 1972 and 1972-1982, Lot 88-262, Box 1; Industrial project files, 1950-1981, including Chemolite information, Lot 84-90, Box 11. Also review files referenced in research discussed above.

ARMY CORPS OF ENGINEERS

Review aerial photographs. Review information on area dredging. Research other information available. Contact Librarian.

WILSON LIBRARY

Review historical photographs of the area. Contact Brett Wilson 612/624-4549.

MINNESOTA DEPARTMENT OF NATURAL RESOURCES

Review photographs of area. Research other information available. Note: DNR has property next to Site.

CITY OF ST. PAUL

May wish to review several boxes of documents pertaining to the site. MPCA staff have already reviewed these documents and copied pertinent information. To date no operating records detailing who use site have been located. May wish to review maps which have been placed on microfilmed. Contact Rick Person at City of St. Paul Solid Waste Office 612/292-6122. Contact Police Department, information states that Police buried ammunition, explosives, and chemicals at site. Also, contact Fire Department for information since there were fires at the site on a regular basis.

RAMSEY COUNTY

Although the site was operated by the City of St. Paul, it was located in Ramsey County and it may have information.

DISTRICT COURT

Staff is aware of a least one lawsuit involving the site. Records should be check to determine if additional information is available.

## MINNESOTA HISTORICAL SOCIETY RESEARCH

Russell Sussag besides being a U of M professor who studied the pigs eye area and 3M employee, was also the chair of the Sewer Board.

There was a proposed coal terminal at Pigs Eye. MPCA WQ put in state archives five boxes of documents containing photos, environmental impact statements, statements, and findings. Files from 1963-1976. Parts of files were retained by MPCA in the person of Dale E. McMichael.

WW treatment plant at pigs eye was constructed in 1937. Secondary treatment was constructed in 1966.

Port Authority was started in 1929.

Picture of area in 1969 flooded-QC2.2d p47

Picture of area in 1969 not flooded-MR2.9 SPIn p22

Aerial picture 1936 MR2.9 SP1j p40-41

Picture of area before dump 1956 MR2.9 SP1m p27

File of photos on WW treatment plant construction 1937 HD6.5 r 34-47

Pictures of WW treatment plant buildings MR2.9 SP 8 p176,p297

Booklet on waste water treatment and how it is affected by federal laws. Discusses pigs eye plant and ash disposal. TD525.M6 M538 1969

Metro Council report on waste disposal. Hired consultant. Where are findings? TD 791 T9 M4 1968

Draft EIS for Coal terminal. HF633.M62 S347 Done by St. Paul Port Authority. Discusses water in Pigs Eye Lake and Battle Creek.

Background report on area back to 1700's. F613.S68 B333 1980

## HAULERS

MPCA has copies of licensed hauler lists from 1959 to 1973.

MPCA GWSW General Files, St. Paul, City of (B): includes a survey of haulers from 1970. Haulers are asked to identify number of residential and business customers. One could use this list to identify haulers with business customers.

Limited number of haulers have been contacted previously with a Request for Information.



## NOTES FROM GWSW ST. PAUL & RAMSEY COUNTY FILE RESEARCH

Area across from Capitol Supply on Lafayette Road (up hill from MPCA) has been used by the City of St. Paul to disposed of street sweepings. An analysis from the street sweepings indicate metals. The sweepings were disposed at site when it was opened.

Space Center had 17 trucks and two customers; 16 for 3M waste and one for American Can.

Fish Hatchery Dump closed on March 13, 1971.

Pigs Eye dump in 1971 received 5000 cubic yards daily. Amount was expected to go up because of the ban on backyard burning.

70 acres were filled in on Pigs Eye between 1960-1964.

### ITEMS TO CHECK INTO FURTHER

Metropolitan Council required that landfills in seven county metro area be opened to all within that seven county area. Did St. Paul allow nonresidents to dump again in Pigs Eye?

Waste Water Treatment Plant dumped solid waste, bar screenings, and grit on the site in 1973.

Industrial Steel Co. reconditioned barrels it received from 3M. Barrels containing solvents were accumulated and sent back to the 3M Chemolite plant for incineration. Waste Control picked up the ash. Where did ash go then?

There is evidence of industrial waste going down the sewers at the time the ash and/or sludge was placed on the site.

## POSSIBLE GENERATORS

### FORD MOTOR

In 1973 haul the following to a landfill: 58,000 gallons a year of paint sludge and 1,330 55 gallon drums a year of grease oils, and solvents. Hauler was WCI. Where did waste go from 1956 to 1972?

### HB FULLER

Each month it generates ten drums of dirty solvent. Letter in 1971 asks where to dispose of it. MPCA recommended Pollution Control if recover and recycle was not possible. Where was it disposed of before that.

### CONTROL DATA

In 1972 hauler was Gallagher's Service. Hauled 55 gallons drums of toxic waste. Where did material go before WDE?

### SPERRY

In 1974 Sperry requested information from MPCA on how to dispose of hazardous wastes. Its wastes includes acids, oils, fluxes, alcohol, and solvents. Where did wastes go between 1956-1972?

### 3M

Lots of waste from Hastings, St. Paul, and Chemolite plants.

### INDUSTRIAL STEEL CONTAINER

Took barrels in from 3M. Where did waste in barrels go before 1972? Also shot peen dust from company contains heavy metals. Waste to site?

### PILLSBURY

Company had a terminal close to site, on Red Rock Road. Evidently there were questionable loading and storing practices in the past of fertilizers and salts. Also stockpiled coal at site.

### METROPOLITAN WASTE CONTROL COMMISSION

Evidence of sewage and or sludge on site. Also disposed of ash on site.

### NORTH STAR STEEL

Deposited metal slag material containing iron, magnesium, and calcium oxides into water along Red Rock Road. Also disposing of shredded car bodies. What else were they dumping in area?

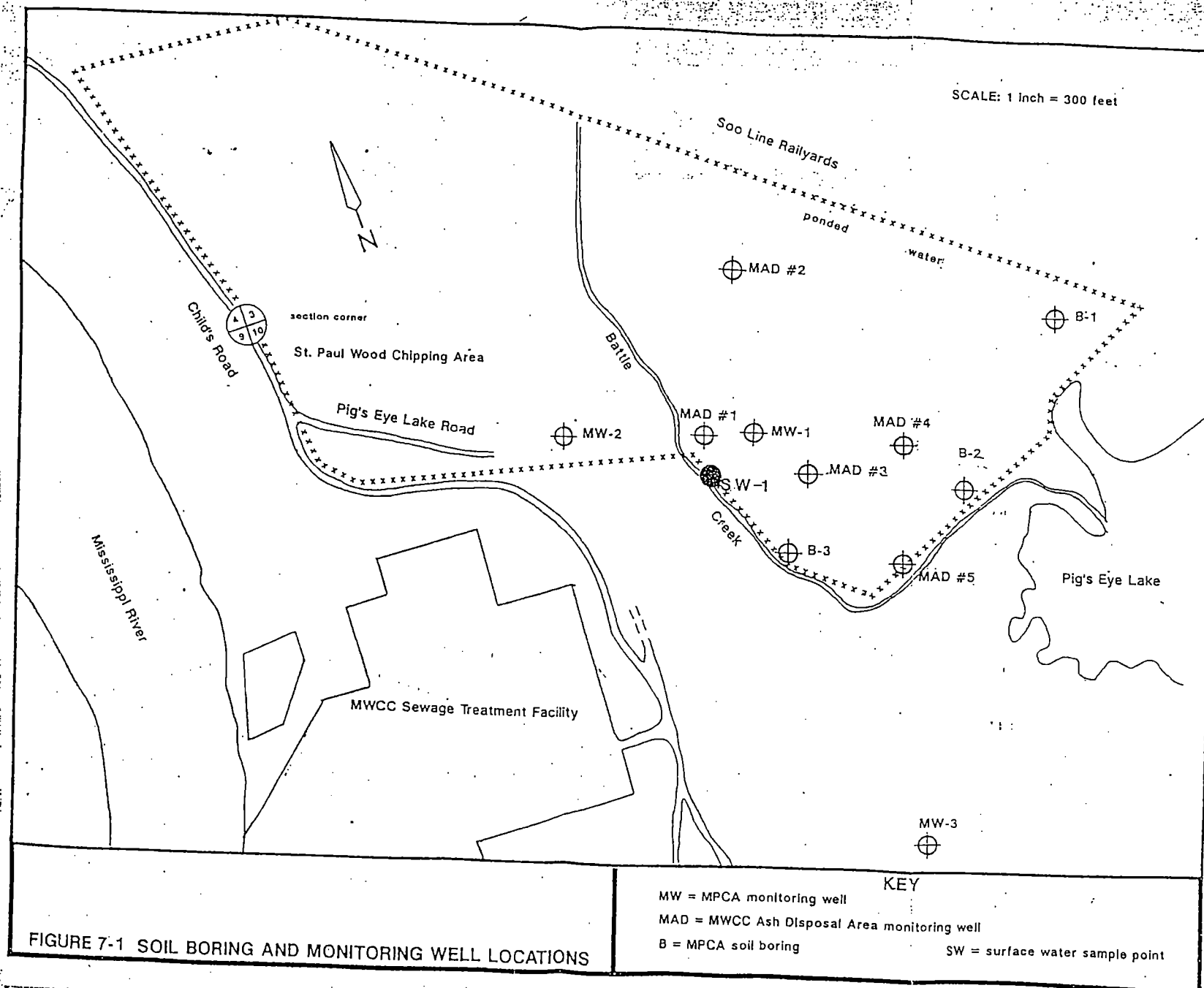
### CITY OF ST. PAUL

Brought street sweepings to the site. Analysis from 1985 indicates heavy metals.

AMERICAN MEDICAL SYSTEMS  
NORTHWEST CONTAINER  
HONEYWELL  
CHAMPION  
TAPE MARK  
BROWN AND BIGELOW  
MGK  
ECOLAB  
DONALDSON COMPANY

## POSSIBLE GENERATORS

WEST PUBLISHING  
WEBB PUBLISHING  
HONEYWELL  
INTERNATIONAL PAPER  
LAND O LAKES  
MID AMERICA  
COCO COLA  
TRANSILWRAP  
UNISYS  
VILLAME INDUSTRIES  
UNION CARBIDE  
JACKS MANUFACTURING  
ELM CORPORATION  
MAC GILLS GIBBS  
WOLKERSTORFER  
POLAR PLASTICS  
NEW PORT WOOD PRODUCTS  
CONWED PLASTICS  
MINNESOTA FLEXIBLE CORPORATION  
GLOBE PUBLISHING  
INTER CITY PRINTING  
SOUTH PARK CORPORATION  
E K QUEHL PRINTING  
MID WEST PLASTICS  
SINCLAIR & VALENTINE  
TAPEMARK  
ATR ELECTRONICS  
ECOWATER SYSTEMS  
VANCE PUBLISHING  
NORRIS CREAMERS



CHICAGO, MILWAUKEE, ST PAUL AND PACIFIC RR.  
PIG'S EYE LANDFILL RENT

- ① LETTER FROM SEGAL RETURNING RESOLUTIONS, LETTER ORDERS
- ② BILL DTD 7-1-74 FROM RR FOR RENT  
(WHAT DOES 1973 TAX REFER TO)
- ③ LETTER FROM DJD TO RSD REQUESTING CANCELLATION OF LEASE (DTD 7-24-73)
- ④ LETTER FROM FDM TO DJD OK'ING TERMINATION
- ⑤ COUNCIL RESOLUTION TO TERMINATE + TERMINATION OF AGREEMENT FORMS - BOTH UNEXECUTED
- ⑥ LETTER FROM LOC TO CLEORA C. WHEELER TERMINATING LEASE AGREEMENT - UNSIGNED, UNSENT DTD 1--74
- ⑦ LETTER FROM LOC TO C.B. & Q RR TERMINATING LEASE AGREEMENT - UNSIGNED, UNSENT (\$1/YR RENT)
- ⑧ LETTER FROM LOC TO P.A. TERMINATING LEASE AGREEMENT, UNSIGNED, UNSENT DTD 1-74
- ⑨ LETTER TO DJD FROM JJS RETURNING MATERIALS & GIVING INSTRUCTIONS CONCERNING TERMINATION
- ⑩ LETTER FROM DJD TO RSD REQUESTING TERMINATION OF LEASES W/ MAP

(11) AUDITOR'S MAP NUMBERS, LOT & BLK NO'S

(12) AGREEMENT BETWEEN CITY AND MINN. DEPT OF CON-  
SULTATION DTD 4-68 W/ ROW PERMIT DTD 10-49

(13) LETTER FROM SHEPARD TO MITCHELL RE: ROW

(14) AGREEMENT BETWEEN CITY AND PORT AUTHORITY FOR  
\$1/9800 DTD 3-67

(15) AGREEMENT BETWEEN CITY AND CLEORA C. WHEELER  
FOR \$1/ANNUUM DTD 7-69

(16) LETTER FROM AVERY TO MITCHELL, TRANSMITTING AN  
AGREEMENT FOR VACATION REQUESTED BY CO & Q RR  
DTD 9-62

(17) AGREEMENT BETWEEN CITY AND BURLINGTON-NORTHE  
AST RR FOR \$1/YR